Public Service Commission

2005-2006
Annual Report

Public Service Commission of Canada
300 Laurier Avenue West
Ottawa, Ontario K1A 0M7
Canada

Information: (613) 992-9562
Facsimile: (613) 992-9352

This Report is also available on our Web site at **www.psc-cfp.gc.ca**

Cat. No. SC1-2006
ISBN 0-662-49390-7

© Her Majesty the Queen in Right of Canada, represented
by the Public Service Commission of Canada, 2006

The Honourable Beverley J. Oda, P.C. M.P.
Minister of Canadian Heritage and Status of Women
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister:

We have the honour of asking you to transmit for tabling in Parliament the Report of the Public Service Commission of Canada for the 2005-2006 fiscal year.

It is submitted in accordance with section 23 of the *Public Service Employment Act,* (S.C. 2003, c. 22, ss. 12 and 13).

Yours sincerely,

Maria Barrados

Maria Barrados
President

Manon Vennat

Manon Vennat
Commissioner

David Zussman
Commissioner

PSC Mission, Vision and Values Statement

Mission and Vision – Striving for excellence

The Public Service Commission is dedicated to building a public service that strives for excellence. We protect merit, non-partisanship, representativeness and the use of both official languages.

We safeguard the integrity of staffing in the public service and the political impartiality of public servants. We develop policies and guidance for public service managers and hold them accountable for their staffing decisions. We conduct audits and investigations to confirm the effectiveness of the staffing system and to make improvements. As an independent agency, we report our results to Parliament.

We recruit talented Canadians to the public service, drawn from across the country. We continually renew our recruitment services to meet the needs of a modern and innovative public service.

Values to guide our actions

In serving Parliament and Canadians, we are guided by and proudly adhere to the following values:

Integrity in our actions;

Fairness in our decisions;

Respect in our relationships; and

Transparency in our communications.

Table of Contents

Chapter 1

Opinion of the Commission 2
- 1.1 Context 2
- 1.2 Implementing the new PSEA - changing the culture 2
- 1.3 Public service - a career of choice 4
- 1.4 Importance of a non-partisan public service 4
- 1.5 Accountability and independent oversight 5
- 1.6 Overall assessment 7
- 1.7 Issues of concern 8
- 1.8 Supporting recruitment and hiring 11
- 1.9 Evaluation framework for five-year review 13

Chapter 2

A year of change 16
- 2.1 New legislative regime 16
- 2.2 Getting ready for the new PSEA 17
- 2.3 Challenges in advancing PSEA implementation 19
- 2.4 Phasing out and transfer of appeals function 24

Chapter 3

Appointment oversight and accountability — How 28
- 3.1 Safeguarding merit with a continuum of activities: Policy - Monitoring - Audit - Investigations 28
- 3.2 Managing delegations 34

Chapter 4

Appointment oversight and accountability — Results 38
- 4.1 Monitoring 39
- 4.2 Statistical studies - Highlights 65
- 4.3 Audits conducted in 2005-2006 66
- 4.4 Investigations conducted in 2005-2006 68

Chapter 5

Non-partisanship 74
- 5.1 A new regime - a respected tradition 74
- 5.2 Political candidacy: Permission and leave granted 77
- 5.3 Monitoring the political impartiality of the public service 80
- 5.4 Movement of individuals between the public service and ministers' offices 81

Chapter 6

Matters of special interest 86

6.1 Managing priority entitlements 86
6.2 Ministers' staff priorities 90
6.3 Official languages – Oversight of the *Public Service Official Languages Exclusion Approval* 92
6.4 Representativeness 95
6.5 National area of selection 101
6.6 Specialized recruitment programs 103
6.7 Executive resourcing 107
6.8 Assessment services 115

Appendices

Appendix 1 – Exclusion Approval Order 122
Appendix 2 – Personal exclusions 123
Appendix 3 – Order repealing certain Exclusion Approval Orders (P.C. 2005-2284) 125
Appendix 4 – New *Public Service Official Languages Exclusion Approval Order* and *Regulations* 126
Appendix 5 – Specific restrictions and conditions applied to organizations following the results of Public Service Commission oversight activities 129
Appendix 6 – Statistical tables 132
Appendix 7 – Glossary 144

Biographies

Maria Barrados, President 154
Manon Vennat, Commissioner 155
David Zussman, Commissioner 156

PSC Organization

PSC Organization Chart 158

Offices of the Public Service Commission

Offices of the Public Service Commission 160

Chapter 1
Opinion of the Commission

Opinion of the Commission

1.1 Context

The 2005-2006 fiscal year proved eventful for the Public Service Commission (PSC) and for the public service as a whole. It was both challenging and productive as we positioned ourselves for the coming into force of the new *Public Service Employment Act* (PSEA or the Act) on December 31, 2005. We also charted a new direction for strengthened oversight of staffing, on Parliament's behalf.

- Before and after the new Act came into force, the PSC oversaw departmental staffing practices while strengthening its oversight regime to provide assurance to Parliament on the integrity of staffing in the public service.
- With a strengthened mandate to oversee non-partisanship and political activities in the public service, the PSC provided guidance to public servants respecting the kinds of activities they could and could not undertake in advance of the federal election held on January 23, 2006.

1.2 Implementing the new PSEA – changing the culture[1]

The new PSEA provides a framework allowing Canada to continue benefiting from a public service that is merit-based, non-partisan and that strives for excellence. Broad delegation of appointment authorities by the PSC to departments and agencies and their managers is a central feature of the legislation. The new Act's preamble directs that "delegation of staffing authority should be to as low a level as possible within the public service, and should afford public service managers the flexibility necessary to staff, to manage and to lead their personnel to achieve results for Canadians".

The success of the new law now depends on departments and agencies making sure they take advantage of its values-based opportunities.

Putting in place legislation was the first step of a longer transformation process that departments will need to take up in order to realize the full benefits of the new regime. With the coming into force of the Act, we are at the beginning of a major transformation in the management of human resources (HR). Frameworks and policies are in place to complete a shift from a rules-based to a values-based approach.

The success of the new law now depends on departments and agencies making sure they take advantage of its values-based opportunities. Deputy heads have the latitude required to make the system work or to let it fail. Ongoing effort and commitment are required to avoid slipping back into a rules-based culture. Deputy heads need to raise the importance of HR at their management tables. Sub-delegating to hiring managers allows them to support strategic human resources practices and move quickly in meeting staffing challenges. It also depends heavily on managerial judgment and initiative. Ultimately, the experience of new practices must lead to a culture where managers are able to plan for strategic choices, and assume greater responsibility and accountability for the decisions they make.

---

[1] Please see section 2.1, "New legislative regime".

With numerous retirements on the horizon, the public service stands at the threshold of a demographic turnover. To make the most of the new legislation as the public service continues hiring for the 21st century, strategic HR practices need to move to the forefront. Based on its ongoing contact with departments and agencies, the PSC considers that they will need to confront three particular challenges[2] in the short term in order to take the greatest advantage of the new PSEA:

- Some departments and agencies have taken steps to improve HR planning, but more progress is needed. Taking full advantage of the new legislative and policy framework will depend on integrated operational and HR planning. The PSC expects that in 2006-2007 all organizations will provide evidence of planning processes with concrete staffing strategies, as this is a mandatory requirement for the reporting period.
- Departments and agencies have to be assured that they have the professionals they need to implement the new regime. The community of human resources specialists – the PE occupational group – has gone through high levels of turnover, and it is anticipated that this group will experience high levels of departure through retirement by 2010. Although staffing authority can now be delegated to hiring managers, they need to depend on advice and guidance from HR specialists, and attention will be required to sustain and renew the community.
- Accountability is a key element of the system of delegation to departments and agencies, and effective accountability requires timely management of information. The PSC's 2004-2005 Annual Report pointed to the weakness of information systems for the monitoring and reporting requirements of the new PSEA. System support continues to be a major issue for monitoring and reporting requirements within departments and agencies, and ad hoc measures such as manual reporting have been taken. Within departments and across the government, these kinds of issues will need to be addressed to ensure robust accountability under the new Act and to allow managers to make strategic plans and choices based on solid information.

...new practices must lead to a culture where managers are able to plan for strategic choices, and assume greater responsibility and accountability...

The community of human resources specialists – the PE occupational group – has gone through high levels of turnover....

---

[2] Please see section 2.3, "Challenges in advancing PSEA implementation".

1.3 Public service – a career of choice

The federal public service offers an unparalleled diversity of employment opportunities in dynamic and challenging career options. These jobs are located in numerous locations across Canada and internationally, in an office setting or in the field, in a major city, or in an isolated or rural area. The vast breadth of career options is complemented by a range of benefits. A few examples are a competitive compensation plan, access to continuous learning and opportunities for flexible work arrangements. The federal public service is also committed to employment equity, linguistic duality and a barrier-free workplace. All of this serves to position the federal public service as an employer of choice.

The federal public service offers an unparalleled diversity of employment opportunities in dynamic and challenging career options.

The coming into force of the new Act on December 31, 2005 provides more opportunities that will, if properly implemented, contribute to finding ways to respond to upcoming hiring challenges. The new PSEA, and the PSC's Appointment Framework, allow organizations to take a different approach to resourcing to better meet their needs, including such means as collective staffing initiatives across units or even departments, or establishing pools of qualified candidates in anticipation of planned staffing needs. As they go about recruiting new employees, departments and agencies need to ensure that potential recruits are aware of the benefits and rewards of serving the country.

Effective recruitment strategies and staffing practices continue to be critical to attracting the people the public service requires to fulfill its mandate and responsibilities to Canadians.

Effective recruitment strategies and staffing practices continue to be critical to attracting the people the public service requires to fulfill its mandate and responsibilities to Canadians. Challenges lie ahead, as HR professionals and managers in both Canada's private and public sectors are facing disconcerting trends, including an ageing workforce and increasing rates of retirement. The public service is in competition with the private sector and other levels of government, and must find innovative ways to renew a talented workforce.

1.4 Importance of a non-partisan public service

Ensuring that Canadians and their Government continue to benefit from a qualified, non-partisan public service, staffed on the basis of merit, is the tradition and mandate of the PSC.

Ensuring that Canadians and their Government continue to benefit from a qualified, non-partisan public service, staffed on the basis of merit, is the tradition and mandate of the PSC. The 1908 *Civil Service Amendment Act* created a Civil Service Commission and the 1918 *Civil Service Act* extended the Commission's mandate to a broad range of human resources matters across the entire public service. Parliament's intention was to ensure that appointment and promotion of civil service personnel be independently safeguarded from political patronage. Despite a number of changes to the institution itself – including a change in name to the Public Service

Commission in 1967 – the Commission's core mandate as champion of the merit principle and political impartiality has continued to this day.[3]

The election and the change in government in 2006 highlighted the importance of a non-partisan public service that ensures objectivity and expertise in providing advice to government and in delivering public programs. Career public servants have the knowledge and experience needed to manage large institutions. A non-partisan public service is vital to Canada's system of democracy, as it makes peaceful and orderly political succession possible while maintaining stable operations and uninterrupted services.

1.5 Accountability and independent oversight

In recent years, considerable attention has been dedicated to strengthening accountability in the Government of Canada and in governments around the world. New reporting relationships, policies, mechanisms, and oversight bodies have been established to provide oversight for government spending and the actions of the public service.

Supporting Parliament's interest in the management of human resources, the PSC is a key element of the accountability system in the public service of Canada. The preamble to the new PSEA emphasizes accountability to Parliament supported by independent oversight. The Act enables a regime for robust monitoring, audits and investigations to support the integrity of the staffing process and preserve the non-partisanship of the public service.

The Act enables a regime for robust monitoring, audits and investigations to support the integrity of the staffing process and preserve the non-partisanship of the public service.

In 2006, the Government proposed legislation (Bill C-2, *Federal Accountability Act*) that contains a number of changes for the offices supporting Parliament. This was an opportunity to strengthen the oversight role of the PSC. We suggested that the Committee studying the Bill also consider:

- ensuring that appointment of the PSC president be subject to consultation with the leaders of all recognized parties in the Senate and House of Commons;
- safeguarding the audit and investigation function by protecting draft audit and investigation papers from release, including special reports to Parliament (see below, "Reporting to Parliament on independent oversight"); and
- protecting PSC auditors and investigators by exempting them from being compellable witnesses and providing them immunity from criminal and civil proceedings.

---

[3] Please see chapter 5, "Non-partisanship".

During committee review in the House of Commons, members moved amendments that would have included these suggestions. For procedural reasons, the first two were ruled out of order. The third amendment was withdrawn.

The ultimate purpose of the PSC's independent oversight is fostering a competent, professional and representative public service that is appointed on merit and free from political and bureaucratic favouritism. This is the basis for the PSC's ongoing dialogue with Parliament on the health of our staffing system.

The ultimate purpose of the PSC's independent oversight is fostering a competent, professional and representative public service that is appointed on merit and free from political and bureaucratic favouritism. This is the basis for the PSC's ongoing dialogue with Parliament on the health of our staffing system.

Reporting to Parliament on independent oversight – The PSEA provides for the Governor in Council to designate a minister for the purposes of tabling the PSC's Annual Report (subsection 23.(1)). Currently, this is the Minister of Canadian Heritage. The new PSEA also enables the PSC to make special reports to Parliament (subsection 23.(3)). When the legislation was before Parliament in 2003, the PSC considered that these special reports could be transmitted directly to the speakers of both Houses. In the absence of such specific wording in the Act, we have been advised that this practice is not possible and our special reports must be transmitted through the minister designated for the purposes of our Annual Report.

The minister is designated only for the purpose of tabling the Annual Report and is not given a mandate to intervene in the affairs of the PSC. This is consistent with the century-old tradition of isolating public service appointment machinery from political intervention, ensuring that Canada has a professional, non-partisan public service. While the reporting mechanism has not been a problem to date, a requirement to transmit special reports through a minister is inconsistent with this same tradition and principle.

The PSC would like Parliament to consider amending subsection 23.(3) of the PSEA to enable transmission of special reports directly to the speakers for tabling.

Special reports may contain issues in which ministers might want to be involved. A special report may even be about the department over which the minister tabling the report presides. The Act envisions that these reports be timely, and they should go directly from the PSC to Parliament without potential delays caused by administrative or other considerations. The PSC would like Parliament to consider amending subsection 23.(3) of the PSEA to enable transmission of special reports directly to the speakers for tabling.

Funding independent oversight – Independent oversight, exercised on Parliament's behalf, requires adequate resourcing. In 2005, the Government launched a two-year pilot project in which an all-party parliamentary advisory panel looks at the funding requests of bodies that support

Parliament. The panel makes a recommendation that the Treasury Board considers in deciding on the budgets that are presented to Parliament through the Estimates process.

The PSC's mandate uniquely combines staffing-related authorities with oversight functions that it exercises on Parliament's behalf. Parliamentarians depend on the independent exercise of the PSC's oversight, and no minister presides over the PSC's activities. By extension, this results in the Commission having no one to advocate for its resource requirements, and it is vulnerable to reductions without consultation during budget exercises. Moreover, since the Treasury Board also has statutory responsibilities in the area of human resources management, this creates an additional dynamic with respect to the PSC's statutory requirement to oversee the activities of the executive.

...this results in the Commission having no one to advocate its resource requirements, and it is vulnerable to reductions without consultation during budget exercises.

The pilot process that is being implemented for other bodies that support Parliament would also help safeguard the independent oversight that the PSC exercises on behalf of Parliament. Participating in this process could mean greater committee scrutiny of the PSC's own financial management. The Commission has taken important steps in becoming a model organization in financial management, has implemented rigorous budgeting and forecasting processes, and has had its financial statements independently audited. Additional committee scrutiny would be welcomed.

1.6 Overall assessment

The coming into force of the new PSEA was a significant event impacting the management of staffing in the public service. Organizations have invested considerable effort in minimizing the operational impacts of the changes, and continue to work on implementation. They have put in place governance structures to ensure decision-makers are aware of their responsibilities. Organizations have also developed the mandatory staffing policies and raised awareness among employees and other stakeholders of the key changes and their impacts.[4]

Overall, the PSC continues to have confidence in the integrity of staffing in the public service and the foundation of merit that is the basis for hiring, with some notable areas of concern.

Canada's public service is a model for the world, and representatives of other governments come to study our hiring practices. Overall, the PSC continues to have confidence in the integrity of staffing in the public service and the foundation of merit that is the basis for hiring, with some notable areas of concern.

---

[4] Please see section 4.1, "Monitoring".

1.7 Issues of concern

Despite the overall strength of the staffing regime and its performance in assuring that Canada is served by a public service that is based on merit and non-partisanship, the PSC identified a number of issues in 2005-2006 that require attention.

Employment equity[5] – The PSC has reported in previous annual reports (2001-2002 and 2002-2003) results of studies into the sources and causes of the differences between the application and appointment rates (referred to as "drop-off") of employment equity (EE) group members in external recruitment processes. We remain particularly concerned about the drop-off rate with respect to visible minorities, since members of this group have a higher drop-off rate than other EE groups and remain under-represented in the federal public service.

We remain particularly concerned about the drop-off rate with respect to visible minorities…

Despite a steady increase in the number of employees in a visible minority group, their significant under-representation compared to their workforce availability persists. In view of the expected continuing increase of members of visible minority groups in the Canadian workforce, the PSC will continue to monitor the results achieved by departments and agencies, particularly for appointments into the public service and for entry into the executive category. We will also share the results of the drop-off analysis with departments and agencies, EE groups, parliamentarians and other stakeholders to promote collective action.

In fiscal year 2005-2006, there was a slight decline in the percentage of appointments for all four EE groups over the previous four years. The PSC will closely monitor the results for recruitment of all four groups.

The PSC is concerned about the impact on the non-partisanship of the public service of unmonitored movement of public servants to and from ministers' offices.

Movement of individuals between the public service and ministers' offices[6] – The PSC is concerned about the impact on the non-partisanship of the public service of unmonitored movement of public servants to and from ministers' offices. Various routes have been used, including assignment through Interchange Canada and leave without pay. Over the past 10 years, about 100 public service employees went to work in a minister's office without a break in service, and subsequently returned to a position in the public service in the same or a different department without a break in service. Two situations that highlight the potential for abuse are considered under "Appointments to phantom positions" in chapter 5.

---

[5] Please see section 6.4 "Representativeness".

[6] Please see section 5.4, "Movement of individuals between the public service and ministers' offices".

Changes to the Conflict of Interest and Post-Employment Code for Public Office Holders include stronger limits on activities that exempt staff can pursue after they leave the minister's office, including a five-year ban on lobbying activities. At the same time, Bill C-2 (*Federal Accountability Act*) would eliminate the priority right for appointment to public service positions which certain ministerial staffers currently enjoy upon ceasing to be employed in a minister's office. These developments, taken together, may make it more difficult to find staff for ministers' offices and increase the likelihood of more public servants being invited to work as exempt staff in order to make up the potential shortfall. This kind of work experience can be positive, both for the public servant who works for a limited period as an exempt staff member, and for the department or agency, which will then have a better understanding of the priorities and challenges of ministers. However, the PSC holds that this kind of movement of personnel:

- should take place only through leave without pay;
- should be monitored; and
- should be subject to limitations respecting the maximum time that a public servant can spend in a minister's office.

We discussed the need to monitor and control this kind of personnel movement with the Public Service Human Resources Management Agency of Canada and the Treasury Board Secretariat (details under "Movement of individuals between the public service and ministers' offices" in chapter 5). The PSC's preference would be to see this addressed through legislation. From our discussions with the Secretariat, a policy solution appeared available. However, the Secretariat has recently indicated that:

- with the upcoming removal of exempt staff priorities and the continuing needs of ministers, it might not be the best solution to implement measures that may impede them from staffing their offices with suitable persons; and
- the ongoing Treasury Board Policy Suite Renewal Initiative will seek to clarify authorities and responsibilities in provisions on leave without pay for public servants who accept employment as exempt staff.

The PSC considers it important that this gap in the framework for monitoring movements between the public service and exempt staff be dealt with, in the interest of the real and perceived political neutrality of the public service. We will continue to monitor this movement.

Governor in Council appointments under the PSEA – Section 20 of the PSEA allows the PSC to exclude positions or persons from the application of the Act. Section 21 allows the Governor in Council to make regulations stating how these exempt positions or persons are to be dealt with.

Traditionally, this is the technical mechanism that governments have used in making Governor in Council appointments for which there are no provisions under any other act of Parliament. For example, governments have used this mechanism in the course of various restructurings that resulted in the creation of new departments for which no acts had been passed and, therefore, where no provisions existed to appoint deputy heads.

The PSC has been concerned that use of this mechanism has the apparent and legal effect of excluding the appointments from the application of merit, and has studied regulatory options to support meritorious processes. Bill C-2 includes provisions which give the Governor in Council authority to make appointments to the following positions without reference to the PSC:

- deputy minister, associate deputy minister and positions of equivalent rank;
- deputy head, associate deputy head and positions of equivalent rank; and
- special advisor to a minister, deputy minister or deputy head.

The PSC has been concerned that use of this mechanism has the apparent and legal effect of excluding the appointments from the application of merit, and has studied regulatory options to support meritorious processes.

Although the Bill formalizes what has been traditional practice for positions like deputy minister or special advisor to a minister, the Commission is concerned about the inclusion of special advisors to a deputy minister or a deputy head. A small number of these advisors have been appointed by the Governor in Council, at very senior levels. However, the majority of positions using the title special advisor to a deputy minister or a deputy head are in fact at various levels of categories that fall under the PSEA. The removal of appointments to these additional positions from the application of the PSEA poses a potential threat to a meritorious and non-partisan public service. We have discussed this matter with officials and hope that an amendment might address the concern during the Senate study of Bill C-2.

Compliance with the *Public Service Official Languages Exclusion Approval Order* (PSOLEAO)[7] – Official languages proficiency is one of the essential qualifications to be met by the incumbent of a bilingual public service position. The PSOLEAO exempts a public servant from meeting the language requirements of his or her bilingual non-imperative position for a period of two years. The intent of the exemption period is to allow time for the person to reach the required level of language proficiency in the second official language. It can also provide Canadians proficient in only one official language with access to bilingual positions in the federal public service and the opportunity to become bilingual.

---

[7] Please see section 6.3 "Official languages - Oversight of the *Public Service Official Languages Exclusion Approval Order*".

In its 2004-2005 Annual Report, the PSC expressed concern about employees not meeting the linguistic profile of their position within the two-year exemption period, since it affects their ability to fulfill the requirements of their position - including, in some cases, the supervision of staff - as well as to serve Canadians in the language of their choice. Analysis of the 2004-2005 data collection noted an increase of non-compliant situations. However, the PSC's monitoring of the application of the PSOLEAO over the course of 2005-2006 indicates that departments and agencies have taken steps to implement internal monitoring mechanisms and have started to resolve non-compliant situations.

...the PSC's monitoring of the application of the PSOLEAO over the course of 2005-2006 indicates that departments and agencies have taken steps to implement internal monitoring mechanisms and have started to resolve non-compliant situations.

Of all indeterminate (permanent) staffing actions in 2005-2006, 46% (19 795) were for bilingual positions of which 11% (2 180) were bilingual non-imperative (positions for which the appointee is not required to meet, at the time of appointment, the required proficiency in both official languages). Among the bilingual non-imperative appointments, the employee did not meet the bilingual requirement of the position at the time of appointment in 14% of cases (308), a proportion that has remained steady over the past five years. Given the continuing use of non-imperative staffing and ongoing situations where the employee does not meet the bilingual requirements of the position within two years of appointment, the application of the PSOLEAO continues to be an area requiring constant monitoring and attention by departments and agencies.

1.8 Supporting recruitment and hiring

The PSC promotes a full range of career opportunities in the federal public service through the delivery of recruitment, executive resourcing and assessment services that connect Canadians seeking employment with federal government organizations. Through its Staffing and Assessment Services Branch (known as the Services Branch prior to June 12, 2006) and through forward-looking policies, the PSC will continue to support organizations as they take on their responsibilities under the new PSEA by providing advice, promoting best practices and developing common tools for recruitment and staffing. The PSC will also continue to provide its long-established expertise in recruitment, assessment and executive resourcing to those organizations that choose to come to us for service.

...the PSC will continue to support organizations as they take on their responsibilities under the new PSEA by providing advice, promoting best practices and developing common tools for recruitment and staffing.

As we do so, it is important to keep in step with the potential of technological tools and the evolving means that Canadians use to find jobs. In September 2005, the PSC received special funding from the Treasury Board to continue its work to develop the Public Service Resourcing System (PSRS), the Web-based recruitment and screening tool used for external processes. PSRS is an interim solution that modernizes the way Canadians apply to opportunities in the federal public service and the process for referring their applications to organizations for consideration.

During the reporting year, the PSC also made considerable progress in establishing the basis for transformation to a long-term solution that will apply to both external and internal selection processes. The PSC plans to build on lessons learned from the current system and address the needs of all stakeholders in internal and external staffing.

Progress on national area of selection[8] - Last year's PSC Annual Report highlighted our commitment to moving towards a national area of selection for recruitment of all officer-level positions to provide wider access to public service jobs. To support the use of national area of selection, the PSC deployed the PSRS to all its regional offices in the fall of 2005. Taking into account the flexibility allowed under the new Act, we continued to make progress towards enhanced access for Canadians to jobs in the federal public service, specifically through amendments to the policy on area of selection and through investments in modernizing recruitment tools.

...Canadians, regardless of their place of residence, may now apply for an additional 1 000 job opportunities in the National Capital Region.

Our initial focus was on all National Capital Region officer-level jobs open to the public. Effective April 1, 2006, the mandatory use of a national area of selection was extended to all officer-level job postings open to the public in the National Capital Region in federal organizations where appointments are made in accordance with the PSEA. This means Canadians, regardless of their place of residence, may now apply for an estimated additional 1 000 job opportunities in the National Capital Region. The PSC will continue to monitor and report on the progress and impact of the new policy.

Post-secondary recruitment and collective staffing initiatives - Since 1973, the Post-Secondary Recruitment (PSR) Program has provided a coordinated way for organizations and functional communities such as the Financial Officer/Internal Auditor Recruitment and Development Program (FORD/IARD), to recruit post-secondary graduates into entry-level positions. In 2005-2006, the demand for PSR by organizations increased - expanding to three campaigns for a total of 30 career choices in 15 organizations. In addition, the human resources community used PSR to launch a collective initiative to recruit entry-level HR officers to address the shortage in this community and the challenges posed by the new PSEA. Given the positive results of this initiative, the PSC will continue to identify opportunities for organizations to use PSR and collective staffing approaches in order to renew their workforces and increase efficiencies in staffing.

In 2005-2006, the demand for PSR by organizations increased – expanding to three campaigns for a total of 30 career choices in 15 organizations.

---

[8] Please see section 6.5 "National area of selection".

Second Language Oral Interaction Test is being modernized – In recent years, some attention has been focused on declining pass rates, particularly with respect to the French Oral Interaction Test. In keeping with the need for ongoing maintenance and updating of tests, and to respond to concerns expressed by candidates and other stakeholders regarding this test, the PSC is modernizing the Oral Interaction Test. Research and development has begun and is expected to be completed in the 2007-2008 fiscal year. In addition, we will develop new versions of the reading and writing tests.

In keeping with the need for ongoing maintenance and updating of tests, and to respond to concerns expressed by candidates and other stakeholders regarding this test, the PSC is modernizing the Oral Interaction Test.

1.9 Evaluation framework for five-year review

The PSEA includes a legislative requirement to review the Act five years after it comes into force. To prepare for this review, the PSC is developing an evaluation framework focussed on its responsibilities under the Act, on how well the legislation is responding to the challenges raised during its drafting, and on how well it is likely to respond to changing views and objectives in staffing over time. We will consult with central agencies, departments and bargaining agents to ensure that their views are considered. We will also consult with Parliament.

The PSC has already done a great deal of work on performance measurement, especially on the Staffing Management Accountability Framework, and on the collection of benchmarking data through the PSC Survey of Appointments. The evaluation framework will further help the PSC establish meaningful performance measures, gather critical benchmarking data, and contribute to the continuous improvement of our on-going oversight activities. We will prepare a comprehensive report in time for the five-year review.

The success of the new regime depends ultimately on a cultural change in the way that departments and agencies approach hiring. Progress may take time, but the PSC expects evidence of success to be clear at the time of the five-year review.

The success of the new regime depends ultimately on a cultural change in the way that departments and agencies approach hiring.

Chapter 2

A year of change

A year of change

2.1 New legislative regime

Parliament passed the *Public Service Modernization Act* (PSMA) in 2003. One of the PSMA's main provisions – the new *Public Service Employment Act* (PSEA or the Act) – came into force on December 31, 2005. This Act provides greater scope for deputy heads to customize their appointment processes within a policy framework established by the Public Service Commission (PSC), to meet the needs of their organizations and to support the delivery of high-quality services to the public. The intent of the Act is to modernize the staffing regime, balancing flexibility with greater accountability.

The intent of the Act is to modernize the staffing regime, balancing flexibility with greater accountability.

The PSEA's preamble points to appointment processes based on merit, non-partisanship, fairness, access, transparency and representativeness, and the Act explicitly states that all appointments to and within the public service must be based on merit and be free of political influence. Deputy heads will be held accountable for these processes, which are an essential part of hiring the right people at the right time.

The PSEA's preamble points to appointment processes based on merit, non-partisanship, fairness, access, transparency and representativeness…

Under the new Act, the PSC continues to have the authority to make appointments to and within the public service. However, the Act encourages extensive delegation to deputy heads, and through them, to departmental and agency managers, to the lowest level possible, providing them the authority they need to make efficient and effective staffing decisions.

The increased flexibility inherent in the legislation comes from the new definition of merit. Supporting the definition of merit is the increased emphasis on human resources (HR) planning in support of the appointment process. In addition, an important new element is the opportunity for potential candidates to seek feedback from the hiring manager through informal discussion during a selection process. Other significant changes include:

- an emphasis on accountability in a delegated system, with departments and agencies reporting to the PSC, and the PSC to Parliament;
- an audit function the PSC has strengthened to support its independent oversight of the staffing system; and
- a reinforced role for the PSC in protecting non-partisanship in the public service.

The Act also created a new approach to recourse as well as a Public Service Staffing Tribunal to replace the appeal boards that the PSC established under the previous Act. See section 2.4 "Phasing out and transfer of appeals function".

***Public Service Employment Regulations* (PSER)**[9] – Since the authority for the previous regulations stemmed from the old PSEA, preparing for coming into force of the new Act included developing new regulations to translate the broad policy framework into practical measures. The PSER 2005 came into effect at the same time as the new PSEA, on December 31, 2005.

In keeping with the philosophy and flexibility of HR management under the new PSEA, the PSC made a considerable effort to reduce the number of regulations. The new regulations focus on entitlement rights and special situations, such as:

- acting appointments;
- priority entitlements for appointment;
- lay-offs;
- Executive Group appointments;
- incumbent-based processes; and
- disclosure of information obtained during the course of PSC investigations.

2.2 Getting ready for the new PSEA

The coming into force of the PSEA required concerted preparation in terms of renewing policies, regulations, and frameworks for delegation and accountability. It also meant ensuring that departments and agencies had the basic elements in place to function under the new legislative regime.

The full potential of new opportunities in the legislative and policy framework depends on departments taking advantage of them. Getting ready for the coming into force of the new PSEA required organizations to make major changes to their own staffing framework, in a short period of time. To assist them, the PSC, in conjunction with the Public Service Human Resources Management Agency of Canada, provided a list of essential elements for coming into force, in four areas:

- delegation;
- policies, programs and processes;
- training and communications; and
- accountability and reporting requirements.

---

[9] The Regulations can be found at:
http://canadagazette.gc.ca/partII/2005/20051116/html/sor334-e.html

Armed with this information, organizations rose to the challenge, as was evidenced in the monthly update reports they provided, as well as in follow-up visits used to corroborate this information and determine areas where organizations were in need of additional assistance or guidance.

To help departments and agencies affect the key changes, the PSC provided ongoing support and guidance which took various forms, including:

- developing and communicating guides and tools on how to implement the new appointment framework;
- developing and delivering 46 "Get Ready" information sessions;
- developing and implementing a test to allow deputy heads to have their HR specialists' expertise in the new PSEA validated by the PSC;
- developing and implementing new electronic templates to advertise appointment and appointment-related processes;
- consulting organizations to determine the range of services and support that would be required after the coming into force, particularly with respect to recruitment, assessment and executive appointments; and
- collaborating directly with various organizations to smooth the transition.

…organizations rose to the challenge, as was evidenced in the monthly update reports they provided, as well as in follow-up visits…

By the end of October 2005:

- Organizations confirmed they would be in a position to assume staffing delegation at the time of coming into force. All had undertaken a review of their delegation of staffing authority to lower levels of management and had identified who required training to take on these new responsibilities. (Note: The PSC had imposed conditions on the delegations of some organizations. See appendix 5.) However, most organizations indicated that they would continue to need the services and support of the PSC in the areas of recruitment and executive appointments.
- Departments expected that all mandatory policies would be in place by the coming into force of the new PSEA.
- Most organizations reported they had a communication strategy in place to ensure employees were informed in a timely manner. For those that did not, a communication plan was under development and most organizations were confident that employees would be fully informed by the coming into force of the new PSEA. Organizations with regional offices further confirmed that communication with these offices was included in their plans.

- The larger organizations reported having implemented a training strategy for managers and HR professionals. Medium and small organizations also developed plans to ensure employees responsible for approving staffing had access to advice and support from trained HR specialists.
- Readiness for accountability and reporting varied among organizations. Most reported having undertaken work to identify the monitoring requirements but indicated a need for better systems to enable monitoring. Organizations also reported a need for increased funding of HR information systems. In the interim, the PSC has created a template that organizations can use to report to the PSC on their use of national area of selection and advertised versus non-advertised processes for all new appointment processes started under the new PSEA as of January 2006. This manual reporting will continue until such time as departments are able to capture and share this information electronically with the PSC.

The PSC concluded that a majority of organizations would be ready to assume staffing delegation and its related accountability.

The PSC concluded that a majority of organizations would be ready to assume staffing delegation and its related accountability. Organizations that reported concerns related to readiness for coming into force were provided with additional support and guidance by PSC human resources specialists. With this additional assistance, these organizations were able to meet the minimum requirements for coming into force.

The PSC proceeded to formalize delegations of staffing, in advance of coming into force of the PSEA, by signing Appointment Delegation and Accountability Instruments (ADAIs) with deputy heads.

The PSC proceeded to formalize delegations of staffing, in advance of coming into force of the PSEA, by signing Appointment Delegation and Accountability Instruments (ADAIs) with deputy heads. As of December 31, 2005, this covered 80 deputy heads, all of whom had signed an ADAI and were in a position to exercise the delegated authorities of the new PSEA according to the conditions and restrictions prescribed by the PSC.

Transition measures

The new PSEA affected organizations in many ways. After the coming into force of the new Act, each organization needed to focus its efforts on a timely transition to the new regime. Although the PSC wanted this transition to be as quick and as smooth as possible, we recognized that the transition period would be a major challenge for departments and agencies. In order to assist organizations, we developed a transition guide to address possible scenarios. For example, if a competition or selection process was initiated prior to the coming into force of the new Act, the entire process was to be carried out in accordance with the provisions of the old Act. This meant that the process must adhere to the rules associated with the old PSEA, rather than the new one.

To further support departments and agencies, the PSC developed a PSEA Transition Reference Document that provided a summary of transition measures pertaining to various areas of interest. This document was forwarded in a letter to heads of human resources. Transition measures were also one of the main subjects presented at the second "Get Ready" series in fall 2005.

2.3 Challenges in advancing PSEA implementation

Putting in place policies, regulations and guidelines to support legislation is a first step in a longer transformation process that departments and agencies will need to take up in order for the full benefits of the new regime to be realized. As organizations move forward with implementing the new Act and transforming their staffing processes, new challenges will arise. During the initial period, there may be a tendency to want to revert back to old practices and seek reinstatement of old rules. During this period, the role of the PSC will be to support organizations, but not recreate a rules-based regime.

...the role of the PSC will be to support organizations, but not recreate a rules-based regime.

Through its oversight of departments and agencies, the PSC considers that departments and agencies will need to confront three particular challenges early in the transformation of staffing culture: HR planning, developing the community of HR professionals, and ensuring timely information to support management decisions and accountability.

...departments and agencies will need to confront three particular challenges ...HR planning, developing the community of HR professionals, and ensuring timely information to support management decisions and accountability.

Human resources planning – HR planning supporting business planning is essential to take full advantage of the opportunities under the new PSEA. In particular, the definition of merit allows a deputy head to appoint a qualified candidate based on future needs of the organization, and these needs are determined through HR planning that is integrated with operational planning. In addition, the PSC's new policy on the choice of staffing processes states that this choice, such as the use of an advertised or non-advertised process, needs to be supported by the organization's HR plan.

The implementation of HR planning is progressing, but further effort will be required.

- Although the implementation of HR planning was not an essential measure for coming into force of the new PSEA, the PSC inquired about the state of HR planning at the departmental and agency level. Specifically, organizations were asked to indicate whether or not their HR planning process was underway, integrated with their business planning process, or had produced a result. Because this was a status report, evidence was not required, nor were specific criteria for the assessment of HR plans applied.
- Two thirds of the organizations indicated they had an HR planning process in place, or had completed such a plan. Of those organizations

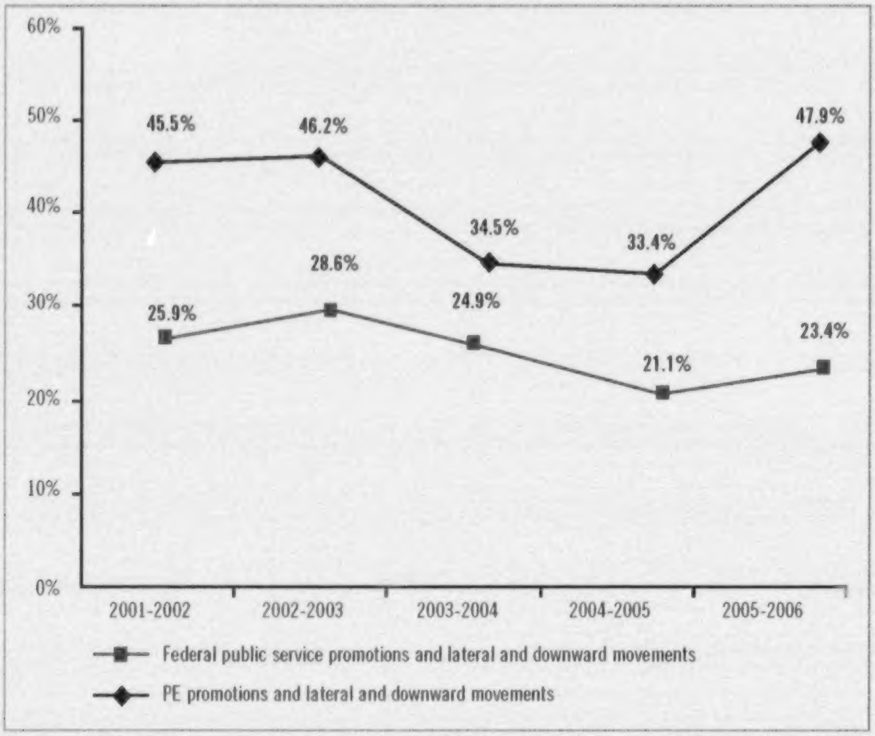
with completed plans, almost three quarters indicated that they have integrated their HR plans with their business plans.

- This is an improvement over 2004-2005, when one third of the organizations had a human resources planning process, or a human resources plan, in place. In 2006-2007, the PSC expects all organizations to provide evidence of HR planning processes with concrete staffing strategies, as this is a mandatory requirement for the reporting period.
- The Small Agencies Transition Support Team at the Public Service Human Resources Management Agency of Canada is assisting organizations of 500 or fewer employees in developing HR plans that are integrated with their business plans.

The shortage of skilled HR professionals continues to be a concern.

Community of human resources professionals (PE occupational group) – The shortage of skilled HR professionals continues to be a concern. Even though the PE population has remained relatively stable in size for the last five years, there has been a marked increase in the rate of internal movements (promotions and lateral movements) in the last fiscal year, as illustrated in the chart below. The current rate (47.9%) is double the rate of movement that is evident across the public service as a whole (23.4%).

Figure 1 - Federal public service and PE internal movements as a ratio of their population



The high rate of internal movement has resulted in reduced efficiencies due to an increasing proportion of inexperienced staffing professionals. For example:

- Organizations are increasingly calling on PSC staffing personnel for advice. PSC test consultants responding to inquiries have noted significant numbers of inexperienced HR officers who have very basic information needs in the area of assessment.
- In the PSC's Survey of Appointments covering the July 2004 - March 2005 period, 38.9% of managers identified "staffing process knowledge/HR support" as factors delaying the staffing process.
- In the 2005 Public Service Employee Survey, 65% of PEs who responded indicated that turnover has been a significant problem in their work in the previous three years, compared with 52% of the public service as a whole, and only 43% of PEs indicated that they could complete their work during regular working hours, compared with 60% in the public service overall.

In January 2006, the HR community initiated an external national area of selection recruitment campaign for entry-level HR officers to fill approximately 140 positions. This marked the first large-scale collective staffing initiative under the new PSEA...

Working in partnership with the PSC and the Human Resources Council, the Public Service Human Resources Management Agency of Canada launched a public service-wide staffing initiative to renew the HR community and offset the impact of impending retirements over the upcoming years. The analysis completed by this group determined that recruitment demand for PE group employees will increase rapidly as the percentage eligible to retire will increase from 7.0% in 2005 to 27.8% by 2010.[10]

In January 2006, the HR community initiated an external national area of selection recruitment campaign for entry-level HR officers to fill approximately 140 positions. This marked the first large-scale collective staffing initiative under the new PSEA, and is being followed by another external campaign in 2006-2007 to staff approximately 90 intermediate-level HR officer positions. These are positive steps, and momentum will need to be maintained in order to address concerns around this community.

Because of concerns around capacity, the PSC has included as a condition of delegation that sub-delegated managers have access to HR specialists whose expertise has been validated by the PSC. To this end, the PSC developed and administered an Appointment Framework Knowledge Test (AFKT)

---

[10] HR Community Profile March 2005 - Demographics, Separations & Retirement Eligibility prepared by the Public Service Human Resources Management Agency of Canada's Research and Analysis Directorate for the Human Resources Community Secretariat.

(see section 3.2 "Managing delegations") and established, as an indicator of readiness for meeting this condition, that at least 80% of those who wrote the AFKT had passed it. This test was developed to assess whether those taking it possess the minimum base of threshold knowledge to be considered to have "expertise" in the new Appointment Framework.

Effective accountability and meaningful planning both require timely management information.

- As of June 30, 2006, 92.3% of organizations were successful in meeting this measure. The remaining organizations are in the process of ensuring their staffing advisors complete the test. In the meantime, measures have been taken to ensure that HR specialists whose expertise has been validated are called upon to provide staffing advice and guidance where there is a gap.

Timely information for planning and accountability – The system of delegated authorities under the PSEA is premised on solid accountability from departments and agencies to the PSC, and from the PSC to Parliament. New flexibilities in the legislative and policy framework depend on organizations' capacity to plan their hiring needs. Effective accountability and meaningful planning both require timely management information.

The PSC's 2004-2005 Annual Report pointed to the weakness of information systems for the monitoring and reporting requirements of the new PSEA. As noted under "Control" in this year's staffing assessment (page 61), this is an area in need of improvement. Departmental monitoring was not a requirement under the old Act, and not all departments have in place the practices that will be required to support the new regime. In advance of the December 31, 2005 coming into force of the new Act, most organizations reported having undertaken work to identify monitoring requirements. However, they also indicated a need for better information system support to enable monitoring and reporting, and ad hoc measures such as manual reporting have been taken. Moreover, departments and agencies need to invest in capacity associated with monitoring, including capacity to analyze data, identify patterns and risk, and take action to respond to issues.

Departments, agencies and central agencies will need to take steps and make investments around collecting and using information in order to ensure robust accountability under the new Act and to allow managers to make strategic plans and choices based on solid information.

2.4 Phasing out and transfer of appeals function

The new PSEA has changed the way complaints and recourse are handled in the federal public service. Under the former PSEA, the PSC was mandated to hear all appeals related to staffing issues.

The new PSEA divides the responsibility for dealing with staffing concerns among the PSC, departments and agencies, and the newly created Public Service Staffing Tribunal (PSST or the Tribunal). The new Act mandates the PSC to investigate:

- external appointments;
- internal appointments, if not delegated;
- delegated internal appointments, at the request of deputy heads;
- appointments involving possible political influence;
- appointment processes where fraud is suspected; and
- allegations of improper political activity.

The new PSEA divides the responsibility for dealing with staffing concerns among the PSC, departments and agencies, and the newly created Public Service Staffing Tribunal.

The mandate of the PSST is to consider and dispose of complaints stemming from an internal appointment, the implementation of a corrective measure ordered by the Tribunal, the revocation of an appointment or a lay-off. A complaint related to an internal appointment may be submitted to the PSST on one of the following grounds :

- abuse of authority in the application of merit;
- abuse of authority in the choice of appointment process; or
- failure to assess a person in the official language of his or her choice.

In considering whether a complaint against internal appointment or a lay-off is substantiated, the Tribunal may interpret and apply the *Canadian Human Rights Act*. The new PSEA also authorizes the Tribunal to provide mediation services at any stage of a proceeding in order to resolve a complaint.

Deputy heads may investigate any internal appointment processes conducted within their organizations, for which they have received appointment delegation from the PSC, if they are concerned that errors, omissions or improper conduct may have affected the selection of a person for appointment.

In 2005-2006, the PSC's Investigations Branch continued to hear all appeals made under the former Act; we expect to complete most of these outstanding appeals during the course of 2006-2007. As of March 31, 2006, 196 appealed selection processes under the former PSEA were waiting to be heard. As well, until the end of 2006, the PSC will continue to receive appeals respecting selection processes initiated prior to December 31, 2005. Once this transitional workload is completed, the Investigations Branch will focus exclusively on the investigation mandates flowing from the new PSEA.

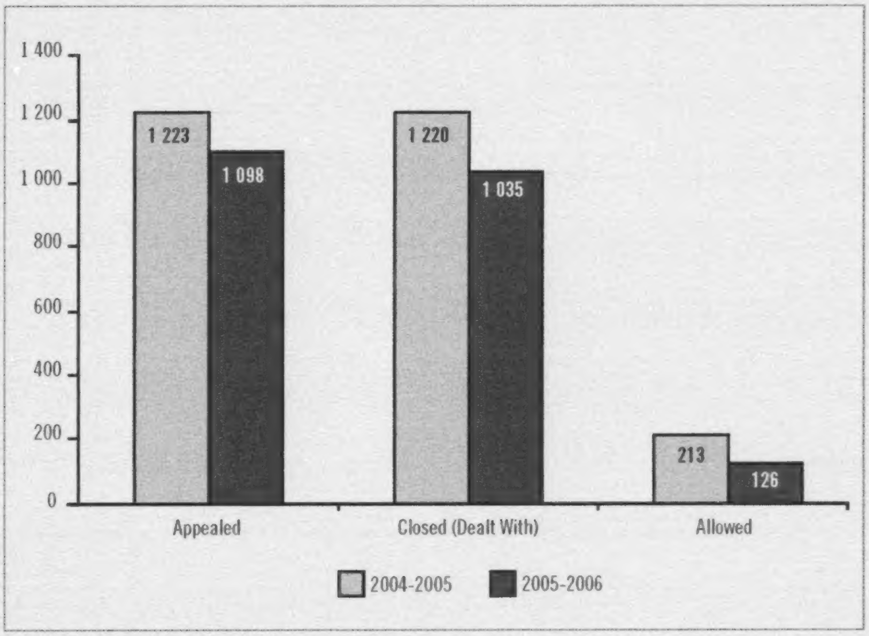
In 2005-2006, the PSC's Investigations Branch continued to hear all appeals made under the former Act; we expect to complete most of these outstanding appeals during the course of 2006-2007.

The number of appeals allowed in 2005-2006 was lower than the previous fiscal year. No new trends were noted, since appeals were allowed for similar reasons as in previous years. It was a relatively typical year for appeals under the old PSEA; 1 098 selection processes, involving 2 217 appellants, were appealed to the PSC. While this number is down slightly from the previous fiscal year (figure 2), it is comparable to other years (in 2003-2004, 1 111 selection processes were appealed). In all, 1 035 appeals were dealt with during the year, of which 126 (12%) were allowed (compared to 213 (17%) in 2004-2005). Appeals were allowed for a variety of reasons, including:

- improper assessment of qualifications by the selection board;
- failure to assess certain qualifications; or
- the conduct of the selection board was questioned (bad faith, bias or unfair advantage).

In 2005-2006, 12 appointments were revoked following an allowed appeal, which compares to eight appointments revoked following an allowed appeal in the previous fiscal year.

Figure 2 - Appeals: Number of selection processes appealed (with outcomes)



Appeals in 2005-2006 were allowed for situations in which:

- the selection boards made an improper assessment of qualifications;
- in other cases the conduct of the selection board was questioned (bad faith, bias or unfair advantage); and
- other situations occurred such as failure to assess qualifications and the unreasonable conditions under which examinations were held.

All these errors affected the merit principle.

Chapter 3

Appointment oversight and accountability — How

Appointment oversight and accountability — How

3.1 Safeguarding merit with a continuum of activities: Policy – Monitoring – Audit – Investigations

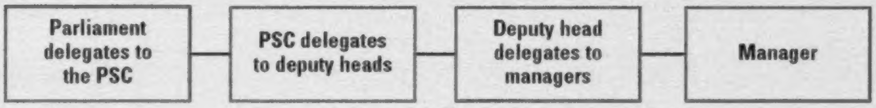
The preamble to the new *Public Service Employment Act* (PSEA) sets out that:

- delegation of staffing authority should be to as low a level as possible within the public service, and should afford public service managers the flexibility necessary to staff, to manage and to lead their personnel to achieve results for Canadians; and
- those to whom this appointment authority is delegated must exercise it within a framework that ensures that they are accountable for its proper use to the PSC, which in turn is accountable to Parliament.

Parliament has given staffing authority to the PSC. The PSC in turn has delegated its power to deputy heads who can sub-delegate to line managers within their organizations. The new PSEA has also reinforced the PSC's mandate to oversee the staffing system and the political activities of public servants. While providing more flexibility in the appointment process, the new Act requires that those delegated and sub-delegated to make appointment decisions (e.g., deputy heads, managers) be accountable to the PSC for the proper exercise of their delegated authorities. The PSC makes annual and special reports to Parliament. The accountability chain is illustrated below.

While providing more flexibility in the appointment process, the new Act requires that those delegated and sub-delegated to make appointment decisions (e.g., deputy heads, managers) be accountable to the PSC for the proper exercise of their delegated authorities.

Staffing accountability chain


Parliament delegates to the PSC
PSC delegates to deputy heads
Deputy head delegates to managers
Manager

As overseer of the staffing system, the PSC uses a continuum of tools to assess the extent to which the system delivers on the values and principles set out in the preamble to the new PSEA, and to determine whether departments and agencies take appropriate staffing-related actions. This continuum is described in the following chart:

PSC oversight continuum

Appointment policies	Appointment Delegation and Accountability Instrument	Monitoring and feedback	Evaluation and studies	Audits	Investigations	Corrective action

Appointment policies

The first element of the oversight continuum is the PSC's suite of policies that, along with the PSEA and its Regulations, provide direction and guidance to departments and agencies on the minimum requirements for their staffing systems. The PSEA provides that when a deputy head exercises powers or functions that the PSC has delegated, the deputy head is subject to PSC policies on making and revoking appointments and on taking corrective action. The PSC's policies and guides can be found at **http://www.psc-cfp.gc.ca/psea-lefp/framework/policy/index_e.htm**.

...the PSC's suite of policies... provide direction and guidance to departments and agencies on the minimum requirements for their staffing systems.

Appointment Delegation and Accountability Instrument (ADAI)

The ADAI, which the deputy head must sign in order to receive and exercise delegated authority, spells out all the authorities and obligations of deputy heads and heads of agencies who accept responsibility for the exercise of that authority. The ADAI forms the basis of the contract between the PSC and departments and agencies. All deputy heads whose organizations are subject to the PSEA have signed an ADAI with the PSC. Further details on the ADAI can be found at **http://www.psc-cfp.gc.ca/psea-lefp/framework/delegation/adai/index_e.htm**. See appendix 5 for further details on conditions applied to delegated authority.

The ADAI... spells out all the authorities and obligations of deputy heads and heads of agencies who accept responsibility for the exercise of that authority.

Monitoring and feedback

Additional tools in the oversight continuum include reporting and monitoring. On an ongoing basis, the PSC monitors the performance of the public service organizations that have delegated appointment authorities. We assess their staffing performance and provide feedback to deputy heads to ensure continuous improvement in the public service appointment system.

The PSC uses the Staffing Management Accountability Framework (SMAF) to review and assess staffing performance, and to provide feedback to delegated organizations. The SMAF sets out the PSC's expectations for a well managed appointment system that respects the PSEA.

The PSC uses the Staffing Management Accountability Framework (SMAF) to review and assess staffing performance, and to provide feedback to delegated organizations.

Staffing Management Accountability Framework - five expectations

Governance – Deputy heads are expected to implement an infrastructure and related practices in their organizations that support the effective management of staffing, continuous learning and change.

Planning – With a view to achieving their business objectives, deputy heads are expected to ensure that staffing decisions made in their respective organizations are strategic and in line with current and future human resources requirements.

Policy – Deputy heads have the opportunity to establish appointment processes and programs tailored to their own organizational needs. When establishing these processes and programs, they are expected to create policies that respect the values of fairness, access and transparency, and to ensure that statutory and central agency requirements are met, even when outside service providers are used.

Communication – Deputy heads are expected to establish communication practices that assure transparency, clarity and ready access to their organizational staffing information.

Control – Deputy heads must ensure that their respective organizations maintain accurate information in relation to their overall appointment systems as well as to individual appointment actions. Deputy heads are also expected to establish active monitoring practices and to adjust their staffing processes, programs and practices as required. They are expected to collaborate with the PSC in meeting oversight requirements, to comply with the PSC's reporting requirements, and to make improvements where deficiencies are identified.

The PSC also monitors trends and activities to identify government-wide issues and practices within organizations that could pose a risk to the integrity of the staffing system.

The PSC also monitors trends and activities to identify government-wide issues and practices within organizations that could pose a risk to the integrity of the staffing system. This monitoring includes a wide range of activities including data analysis, and review of media coverage and complaints, among others.

Evaluations and studies

The PSC uses program and policy evaluation to assess the effectiveness of the staffing system. It conducts employment system reviews to assess whether the staffing system is free of barriers to employment equity group members.

The PSC conducts studies on a number of issues. Studies are descriptive or exploratory in nature and usually concentrate on:

- describing a subject or developing an information base;
- exploring the subject or information base; or
- developing a method to assess that subject or information base in the future.

Statistical studies make use of the PSC's data holdings to shed light on issues related to hiring and staffing activities in the federal public service. They provide benchmark information about and insight into potential opportunities for improvements that can be used in modernizing staffing. These studies will be a useful source of ongoing information related to human resources management issues.

Audits

The PSC performs audits of the staffing activities of individual government departments and agencies, and of government-wide issues in a number of departments and agencies together. These audits are objective and systematic examinations that provide independent assessments of the performance and management of staffing activities. Their purpose is to provide objective information, advice and assurance to Parliament, and ultimately to Canadians, on the integrity of the appointment process in the public service.

...audits are objective and systematic examinations that provide independent assessments of the performance and management of staffing activities.

The PSC monitors the implementation of its recommendations and conducts follow-up audits. In those situations where an audit has resulted in the Commission imposing conditions on the delegation of staffing authority, the PSC proceeds with follow-up audits when monitoring activities indicate that significant improvements have taken place and the Commission may be in a position to remove the conditions.

Investigations

The new PSEA provides the PSC with the authority to investigate staffing activities and political activities in the following cases:

- external appointments;
- internal appointments, if not delegated;
- delegated internal appointments, at the request of deputy heads;
- appointments involving possible political influence;
- appointment processes where fraud is suspected; and
- allegations of improper political activities.

The PSC investigates staffing actions when a possible problem is indicated (such as failure to follow the Regulations or PSC policies) that may have affected the selection process. We conduct investigations to establish relevant facts where concerns arise. We analyze the facts to arrive at a conclusion so that necessary corrective measures may be proposed, considered and taken.

The PSC may receive information concerning a specific staffing process from a variety of sources including employees, the public, unions, the media and staffing audits. The PSC may conduct investigations into external appointment processes, non-delegated internal processes, delegated internal processes at the request of deputy heads, processes that it has reason to believe were not free of political influence or where fraud might have occurred.

Lastly, the PSC may also investigate if it receives an allegation of improper political activity by a federal public servant or a deputy head.

Under the new PSEA, deputy heads are responsible for conducting their own investigations into internal processes they carry out under their delegated authority, before revoking an appointment or taking corrective action. Deputy heads can choose to conduct their own investigations or ask the PSC to do so on their behalf. Decisions with regard to corrective measures remain with the deputy head.

During 2005-2006, the PSC implemented a new oversight framework for appointment processes and political activities. Policies and regulations provide guidance and clarification for stakeholders involved in investigations in order to promote transparency and fairness.

The PSC investigates staffing actions when a possible problem is indicated... that may have affected the selection process.

Under the new PSEA, deputy heads are responsible for conducting their own investigations into processes they carry out under their delegated authority, before revoking an appointment or taking corrective action.

Corrective action

The PSC's oversight activities occasionally bring to light problems that can affect the circumstances of an individual or could even pose a risk to the integrity of the staffing system. If a problem can be addressed through a system-wide solution or directive, the PSC can put in place the appropriate regulation or policy. In other situations, when monitoring, audits or investigations reveal practices that do not conform to the statutory and policy framework of the staffing system, the PSEA gives the Commission the authority to take corrective action in a number of circumstances.

Corrective action can encompass a range of activities:

- In case of irregularities in a staffing process, the PSC can require that part or all of the process be re-done or re-evaluated, for example, re-evaluation of a written test.

...when monitoring, audits or investigations reveal practices that do not conform to the statutory and policy framework of the staffing system, the PSEA gives the Commission the authority to take corrective action...

- In certain cases, the PSEA authorizes the PSC to revoke appointments. This may occur, for example, if an investigation reveals an error, an ommission or improper conduct during an external appointment process, if fraud occurred during an appointment process, or if a process was subject to political influence.
- Since the staffing system is based on delegation of authority from the PSC to deputy heads, the PSC can also impose limits or conditions on the exercise of appointment authorities in a department or agency. In more serious cases, it can withdraw delegation entirely.

The decision to impose limits or conditions on the exercise of delegated authorities or to withdraw delegation is not one that the Commission takes lightly.

Appendix 5 provides more information on conditions the PSC has placed on organizations' delegated authorities as a result of our oversight activities. These five are:

- Canadian Space Agency;
- Commission for Public Complaints Against the RCMP;
- Military Police Complaints Commission;
- NAFTA Secretariat, Canadian Section; and
- Office of the Privacy Commissioner of Canada.

Our objective is to restore the organization as quickly as possible to a well-performing, fully delegated organization.

The decision to impose limits or conditions on the exercise of delegated authorities or to withdraw delegation is not one that the Commission takes lightly. When the PSC's oversight reveals shortcomings that warrant such strong measures, the Policy Branch and the Staffing and Assessment Services Branch provide remedial support to the organization to help fulfil the conditions and take steps to correct the deficiencies that led to the situation. Our objective is to restore the organization as quickly as possible to a well-performing, fully delegated organization.

The President of the PSC also meets regularly with deputy heads to discuss the organization's progress, and provides input to the Committee of Senior Officials for consideration in the performance assessment of deputy heads.

3.2 Managing delegations

The PSC has articulated the appointment and appointment-related authorities it delegates to deputy heads in its Appointment Delegation and Accountability Instrument (ADAI) which both the deputy and the PSC sign. The Staffing Management Accountability Framework is a key feature of the ADAI, setting out the PSC's expectations for a well managed appointment system and the elements on which organizations must report to the PSC.

- *Appointment authorities* under the new PSEA cover activities such as making appointments to and within the public service based on merit and free of political influence, and appointing casual workers.
- *Appointment-related authorities* concern activities such as determining whether appointment processes are advertised or non-advertised and determining areas of selection.

Based on a risk assessment, the Commission has delegated 32 of its 37 appointment and appointment-related authorities…

Based on a risk assessment, the Commission has delegated 32 of its 37 appointment and appointment-related authorities under the PSEA, the *Public Service Employment Regulations*, the *Public Service Official Languages Appointment Regulations*, and the *Employment Equity Act*. The five authorities not delegated by the Commission, due to a very high level of risk, are:

- its four PSEA authorities to revoke appointments and to take corrective action following investigations in various circumstances (external processes, non-delegated internal processes, political influence in appointments, and the occurrence of fraud in appointments); and
- its authority in the new *Public Service Official Languages Exclusion Approval Order* (PSOLEAO) to exclude a person, on medical grounds, from having to meet the required level of official language proficiency of a bilingual position.

…the PSC has imposed universal restrictions and conditions on some delegated authorities, due to a higher level of risk.

Along with adopting a broad approach to delegation (which includes, for the first time, virtually all Executive Group appointments), the PSC has imposed universal restrictions and conditions on some delegated authorities, due to a higher level of risk. For example, the delegation of the authority to appoint ministers' staff in priority to others is limited to appointments to non-Executive Group positions.

An example of a universal condition is the requirement for deputy heads to ensure that their sub-delegated officials have access to human resources (HR) specialists whose expertise in the Appointment Framework has been validated by the PSC.

- The Appointment Framework Knowledge Test (AFKT) is the means by which the PSC validates this expertise. The AFKT was introduced in September 2005 and by March 31, 2006, more than 1 500 individuals had written it. More than 97.7% of test-takers passed, indicating that the vast majority who underwent the test possess the minimum base of threshold knowledge to be considered as having "expertise" in the new Appointment Framework. It is expected, however, that as professionals, HR specialists will continue to expand their knowledge in this area and move beyond the minimum level of threshold knowledge.

In addition to the application of universal restrictions and conditions on certain delegated authorities, the Commission also applied specific restrictions and conditions in the ADAIs for five organizations following the results of its oversight activities. Appendix 5 identifies these organizations and the details of the restrictions and conditions.

Chapter 4

Appointment oversight and accountability — Results

Appointment oversight and accountability — Results

Summary

Overall, the Public Service Commission (PSC) continues to have confidence in the integrity of staffing in the public service and the foundation of merit that is the basis for hiring.

The coming into force of the new *Public Service Employment Act* (PSEA) was a significant event impacting the management of staffing in the public service. Organizations invested considerable effort in minimizing the operational impacts of the changes, and continue to work on implementation.

- Organizations have put in place governance structures to ensure decision-makers are aware of their responsibilities. They have also developed the mandatory staffing policies and raised awareness among employees and other stakeholders of the key changes and their impacts.
- Work remains in areas that require an investment in capacity, such as human resources (HR) planning and internal monitoring and controls.

Generally, external access to opportunities in the public service increased in 2005-2006.

We are satisfied that most managers are following staffing processes that ensure persons appointed are qualified. With the introduction of the new PSEA, we are confident that managers are equipping themselves to ensure this continues.

The management of staffing in the public service, however, is not without problems. Concerns persist with the use of temporary staffing processes and their impact on perceptions of fairness and transparency. As a result of our oversight activities, we made recommendations for improvement to deputy heads and, in a small number of cases, placed conditions on delegated authorities. Also, the results of allowed appeals under the old PSEA, as well as founded investigations, led to the revocation of 19 appointments.

4.1 Monitoring

As stated in section 3.1, the PSC uses the Staffing Management Accountability Framework (SMAF) to monitor the staffing performance of organizations that have delegated staffing authorities. The SMAF was used for the first time in this cycle to report on results achieved, while providing observations on the processes or means used to manage staffing.

The assessment included 79[11] federal organizations with 177 971 employees and an additional 6 847 casual workers on March 31, 2006.

- As noted in the table below, these organizations conducted 100 230 staffing actions during the fiscal year. This is a 22.8% increase in volume over 2004-2005.
- These staffing actions included 15 178 new appointments (determinate and indeterminate) to the public service, an increase of 28.1% over the previous year.

The creation of the Canada Border Services Agency (CBSA) on December 12, 2003 resulted in an additional 9 102 employees being brought into the PSC's jurisdiction as of March 2005. In order to get a true picture of trends, it is necessary to examine the data without this anomaly. The CBSA accounted for 7 714 or 7.7% of staffing actions. Excluding this information, overall staffing actions saw a smaller increase of 13.4%.

Table 1 - Staffing actions and appointments

Staffing actions	2004-2005 without CBSA	2005-2006 without CBSA	Increase	2005-2006 with CBSA	Increase
TOTAL staffing actions	81 602	92 516	13.4%	100 230	22.8%
Appointments to the public service	11 847	14 314	20.8%	15 178	28.1%

---

[11] Only organizations that had signed a Staffing Delegation and Accountability Agreement under the old PSEA were required to report for the 2004-2005 cycle. Although 80 organizations signed an Appointment Delegation and Accountability Instrument for the coming into force of the new PSEA on December 31, 2005, government restructurings mean that the number of departments and agencies varies with time.

Although the number of staffing actions and new appointments increased, the percentage cannot be correlated to a direct increase in the size of the public service which falls into the PSC's oversight. As the table below illustrates, the public service overseen by the PSC grew by 8.1% in 2005-2006. Excluding the Canada Border Services Agency, the population grew by only 1.5%.

Table 2 - Indeterminate, term and casual population

Population	March 2005 without CBSA	March 2006 without CBSA	Increase	March 2006 with CBSA	Increase
Indeterminate and term population	166 336	166 882	0.3%	177 971	7.0%
Casual population	4 653	6 740	44.9%	6 847	47.2%
TOTAL population	**170 989**	**173 622**	**1.5%**	**184 818**	**8.1%**

These data also show that the proportion of casual workers in the population on March 31 increased significantly from 2005-2006. The five-year trend is shown in figure 4 (page 47). The use of casual workers is illustrated in figure 11 (page 56).

This year's staffing performance assessment is based on information gathered directly from organizations, together with an analysis of the data in central systems related to pay and staffing processes and a review of the findings of relevant surveys, such as the Public Service Employee Survey (PSES), and the PSC's Survey of Appointments.

- The PSES is an opinion survey of public servants at all levels, and in all departments and agencies, conducted at three-year intervals. The 2005 PSES represents the third administration of this public service-wide survey since 1999. Using a census method, the survey examines a broad range of human resources management issues of relevance to a variety of stakeholders such as central agencies, managers, unions, and functional communities. Survey content includes questions concerning working conditions, staff relations, learning, career development, and staffing.
- The PSC Survey of Appointments is a cyclical survey of appointment activity, conducted every six months. Survey responses are received from both appointees and managers involved in staffing actions (indeterminate recruitment, indeterminate promotions and term-to-indeterminate movement).

This was a transition year. Since the new PSEA took effect on December 31, 2005, the majority of staffing activities we are reporting on were initiated under the old Act. At the same time, the assessment encompassed the processes departments have implemented to manage staffing in the new regime.

Specific criteria were used to assess organizational staffing performance against the Staffing Management Accountability Framework. Work remains to develop similar criteria for assessing results against the values (see following exhibit on staffing values), and associated sources of information. In the meantime, the information that is available and has been used in the past was applied to provide insight into these issues. This Report provides information on the results achieved against these new values for the first time.

Core values

Merit

- Every person appointed must meet the essential qualifications (including official language proficiency) established by the deputy head for the work to be done.
- The hiring manager may take into consideration any current or future asset qualifications, operational requirements, and organizational needs also identified by the deputy head.

Non-partisanship

- Appointments and promotions to the public service are made free from political influence.
- Employees have the right to engage in political activities, while maintaining the principle of political impartiality in the public service.
- The political activity of employees must not impair, or be perceived as impairing, the employees' ability to perform their duties in a politically impartial manner.
- Political activity means any activity in support of, within or in opposition to a political party, any activity in support of or in opposition to a candidate, or seeking to be a candidate in an election.

Values to guide staffing

Access

- Potential candidates from across the country have a reasonable opportunity to apply, and to be considered, for public service employment.

Fairness

- Decisions are made objectively and free from personal favouritism; policies and practices reflect the just treatment of persons.

Representativeness

- Access contributes to a workforce that embodies linguistic duality and is representative of Canada's diversity, including the designated employment equity groups.

Transparency

- Strategies, decisions, policies and practices are communicated in an open and timely manner.

A. Results achieved against the values

Merit

The Public Service Employee Survey and the PSC Survey of Appointments provide insight into employees' general perceptions of merit in appointments. Since specific data on appointments made under the definition of merit under the new PSEA were not yet available, the PSC examined actions taken by organizations to provide guidance to managers on this critical issue, and the availability of human resources (HR) plans to support their decisions.

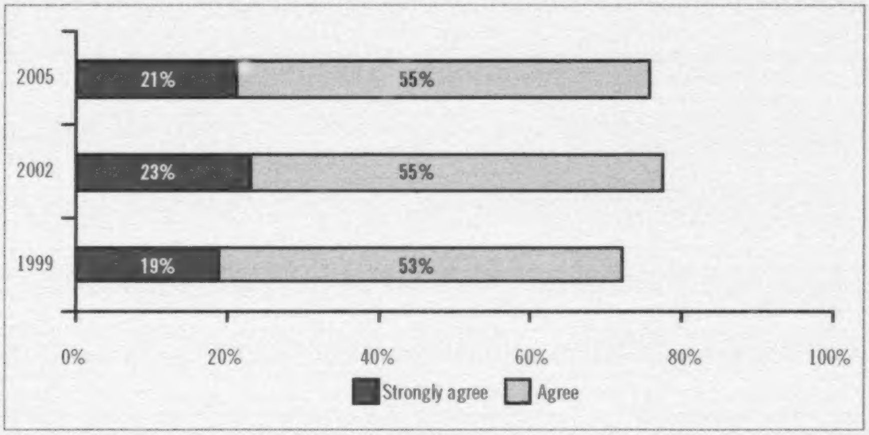
Overall, the PSC continues to have confidence that merit is the basis for hiring in the public service. Although the information shows that there is some room for improvement, perceptions are generally positive and healthy practices are already in place. Work is under way in organizations to implement HR planning and other measures that will strengthen merit in appointment decisions. More work on planning is required.

Employees generally believe that managers hire people who can do the job and that they are provided with opportunities to demonstrate their capabilities when they apply for competitions.

Employees generally believe that managers hire people who can do the job and that they are provided with opportunities to demonstrate their capabilities when they apply for competitions. These results have remained consistent over time, although the data also show that there is some room for improvement.

- The following figure shows that 76% of all 2005 Public Service Employee Survey respondents agreed or strongly agreed with the statement: "In my work unit, I believe that we hire people who can do the job". This is an increase of four percent from the 1999 survey, but a slight decline from 2002.

Figure 3 - In my work unit, I believe that we hire people who can do the job.



Source: 2005 Public Service Employee Survey.

- In the 2005 survey, 68% of respondents who had participated in a competition during the past three years agreed that they had an opportunity to demonstrate their capabilities for the position (this figure does not include responses that indicated "not applicable"). This is similar to the 2002 results.

Most managers are using structured interviews and other tools to assist them in making sound appointment decisions.

Most managers are using structured interviews and other tools to assist them in making sound appointment decisions.

- Results from the most recent PSC Survey of Appointments covering appointments made between July 2004 and March 2005 show that managers are using a combination of tools to assist them in selecting qualified candidates: 74.8% of hiring managers used a formal interview in the assessment of merit, 73.2% included references, 54.9% used a formal written test they had developed and another 15.8% used a standardized written test. Other methods included simulations and performance reviews.

HR planning is an important factor in assessing staffing from a merit perspective.

...in the future, the PSC will be examining the availability and quality of HR plans.

HR planning is an important factor in assessing staffing from a merit perspective. As noted in chapter 2 of this report, HR plans describe organizational needs and provide an important context for other merit criteria applied in an appointment decision. Although it was not essential for this year's staffing assessment, in the future, the PSC will be examining the availability and quality of HR plans.

Noteworthy practice

The **Canadian Transportation Agency** has integrated its human resources and business planning components to ensure sound HR practices. These include a comprehensive environmental scanning process and thorough analysis of its business needs and priorities, as well as HR areas that may be at risk.

Overall, we continue to find little direct political influence in the staffing system.

Non-partisanship

Non-partisanship has been given particular focus in chapter 5 of this report.

Overall, we continue to find little direct political influence in the staffing system.

As a core value, non-partisanship falls under the staffing performance assessment. (Related issues, such as fairness and transparency, are addressed later in this chapter.) Each year, deputy heads are asked to sign a formal attestation that employees were appointed and promoted objectively, free from personal favouritism and political influence, and that their organization has put in place appropriate mechanisms to reinforce this requirement. All deputy heads have signed this attestation. Because of the context of findings of our recent audit, the President of the Canadian Space Agency was not required to sign the attestation (see section 4.3 "Audits conducted in 2005-2006").

Noteworthy practice

Treasury Board Secretariat, the **Department of Finance** and the **Public Service Commission** have each updated the Statement of Persons Present at the Board, a document used to ensure selection board members are personally accountable for the results of an appointment, and its basis in merit and non-partisanship.

Access

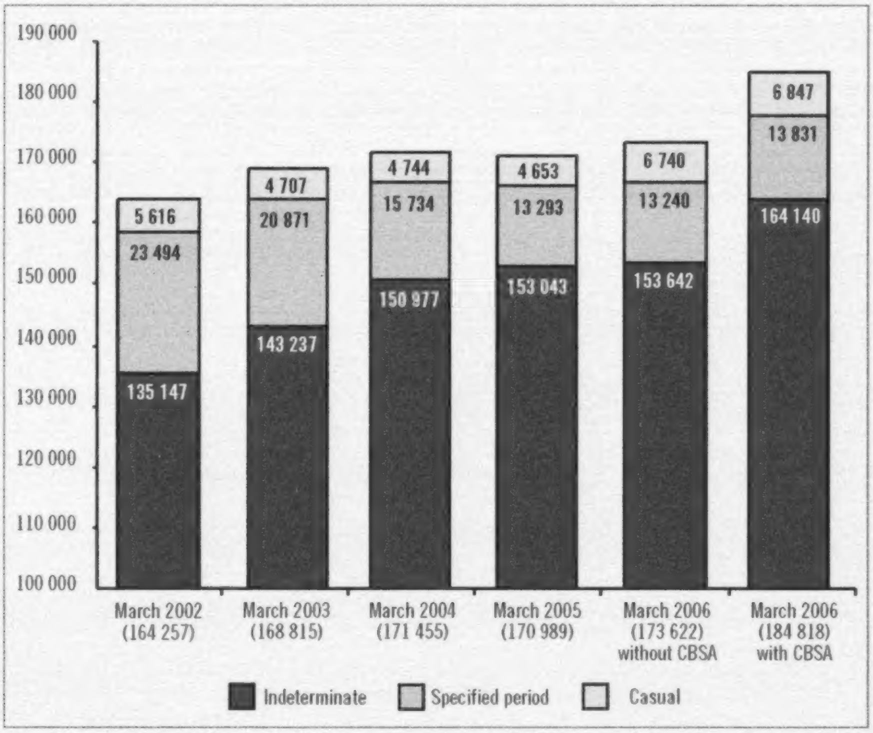
Overall, the PSC is satisfied that Canadians are being provided with reasonable access to job opportunities in the federal public service. There has been growth in external hiring for both term and indeterminate positions. A majority of these jobs are available in the regions, and there are opportunities for unilingual applicants. Initiatives described in chapter 6 on representativeness and national area of selection are under way to make improvements in these two areas.

Overall, the PSC is satisfied that Canadians are being provided with reasonable access to job opportunities in the federal public service. There has been growth in external hiring for both term and indeterminate positions.

There were more job opportunities for Canadians in 2005-2006.

- In 2005-2006, 28.1% more Canadians were appointed to indeterminate and term positions than in the previous year. After removing the figures from Canada Border Services Agency, this figure remains high at 20.8%. The following figure illustrates the growth in the population over the past five years.

Figure 4 - PSEA population by tenure



- In addition to 675 368 applications received for both indeterminate and specified-period jobs open to the general public, the PSC also administers five specialized recruitment programs to attract students and recent post-secondary graduates to opportunities in specific organizations: Post-Secondary Recruitment Program (PSR), Recruitment of Policy Leaders Program (RPL), Federal Student Work Experience Program (FSWEP), Research Affiliate Program (RAP) and Co-operative Education and Internship Program (Co-op). The PSC received 112 576 applications for PSR, RPL, RAP and FSWEP in 2005-2006. Co-op hiring is delegated to departments. These programs are described in more detail in section 6.6 "Specialized recruitment programs".

Informing Canadians about job opportunities open to the public

Through its Staffing and Assessment Services Branch, the PSC offers Canadians a common point of access to a full range of job opportunities open to the public in the federal public service. Since 1995, the PSC has advertised these job opportunities through its Internet Web site at **jobs.gc.ca**. The PSC also provides Canadians with an alternative way to find out about job opportunities through its Infotel toll-free number at 1-800-645-5605.

The use of these tools is shifting, a reflection of Canadians' increasing access to the Internet. As reported by Statistics Canada (CANSIM 2005-02-21), in 2003, 64.2% of Canadians had Internet access (from home, work, school, public libraries or other locations) compared to 41.8% in 1999. During 2005-2006, there was a marked increase in the number of visits to the PSC's Web site, increasing to approximately 17 754 000 visits compared to 14 535 000 in the previous year. In contrast, the Infotel number saw a decrease in callers for the fourth consecutive year, from a high of 260 673 in 2002-2003 to 100 297 callers in 2005-2006.

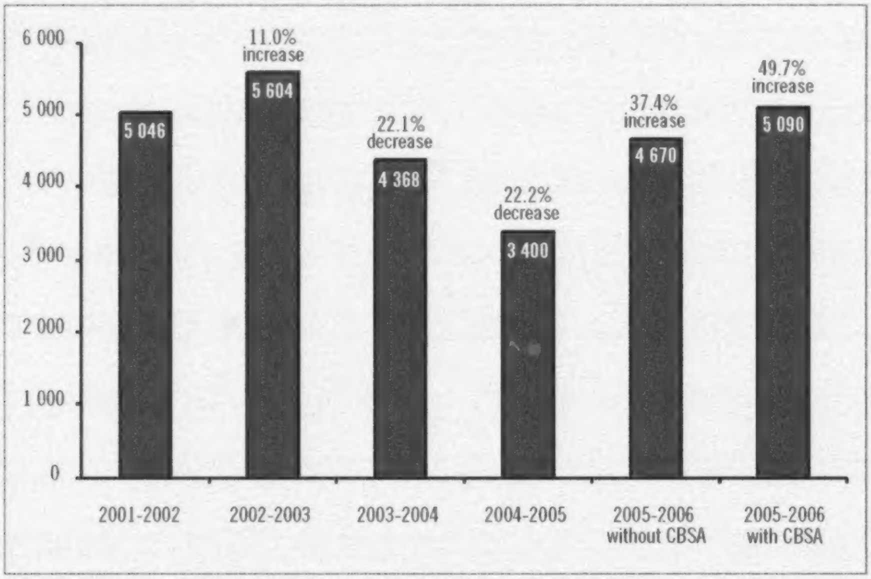
Under the new PSEA, organizations must continue to advertise external recruitment opportunities, as a minimum on jobs.gc.ca as well as on Infotel (or an alternative telephone service) in order to provide Canadians with a reasonable opportunity to apply for jobs in federal organizations whose appointments are made in accordance with the PSEA.

For the first time in four years, there was an increase in indeterminate appointments to the public service.

For the first time in four years, there was an increase in indeterminate appointments to the public service.

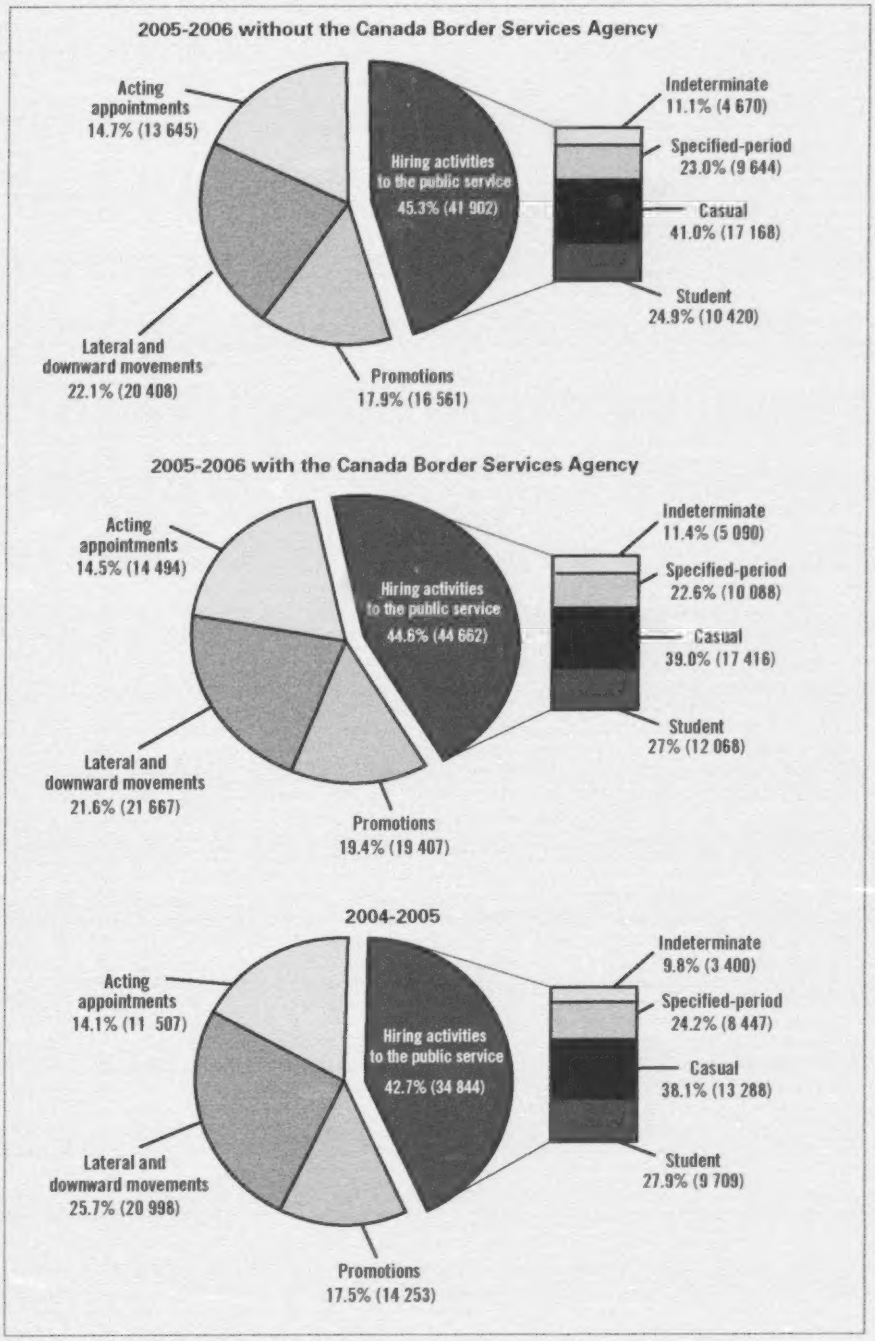
- The following figure shows that 49.7% more Canadians were newly appointed to indeterminate positions in 2005-2006 than in the previous year. When the Canada Border Services Agency is excluded from the analysis, the increase in indeterminate recruiting remains significant, at 37.4%.

Figure 5 - Indeterminate appointments to the public service - 2001-2002 through 2005-2006



There has also been a 22.8% increase in overall hiring and staffing activities since 2004-2005. Adjusted for the Canada Border Services Agency, this figure remains high, at 13.4%. (As noted in the introduction to section 4.1, this does not correlate to a growth in the public service.)

Figure 6 - Overall public service hiring and staffing activities*



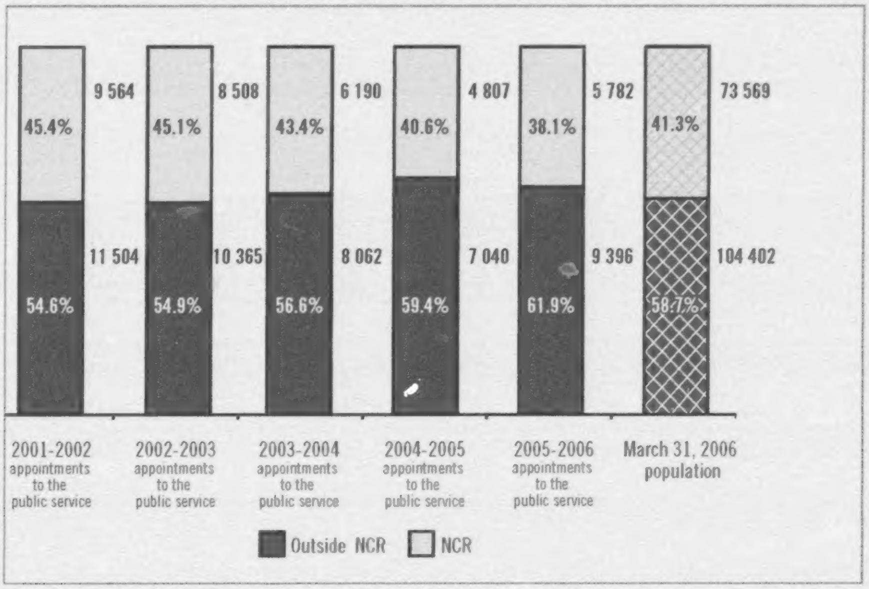
* Please see technical notes, table 23 (page 133).

Around 60% of external appointments have been made outside the National Capital Region, and this ratio has remained relatively stable for the last five years.

- As the figure below indicates (data includes the Canada Border Services Agency), in 2005-2006, 58.7% of the public service population was outside the National Capital Region, and accounted for 61.9% of appointments to indeterminate and term positions. See section 6.5 "National area of selection" on Canadians' access to jobs in the National Capital Region.

Over 60% of external appointments have been made outside the National Capital Region, and this ratio has remained relatively stable for the last five years.

Figure 7 - Appointments to the public service outside and within the National Capital Region compared to the March 31, 2006 population*



* Indeterminate and specified period appointments and population.

There are also many opportunities for unilingual applicants.

- 39.7%[12] of positions in the federal public service are designated bilingual.
- 63% of the 5 582 advertisements open to the Canadian public, posted on the PSC recruiting site in 2005-2006, did not have a bilingual imperative[13] requirement.

---

[12] This figure is taken from the Public Service Human Resources Management Agency of Canada's Annual Report on Official Languages 2004-2005: http://www.hrma-agrh.gc.ca/reports-rapports/arol-ralo0405-2_e.asp#_Toc135016374.

[13] These figures were extracted from the on-line posting form and the Public Service Resourcing System.

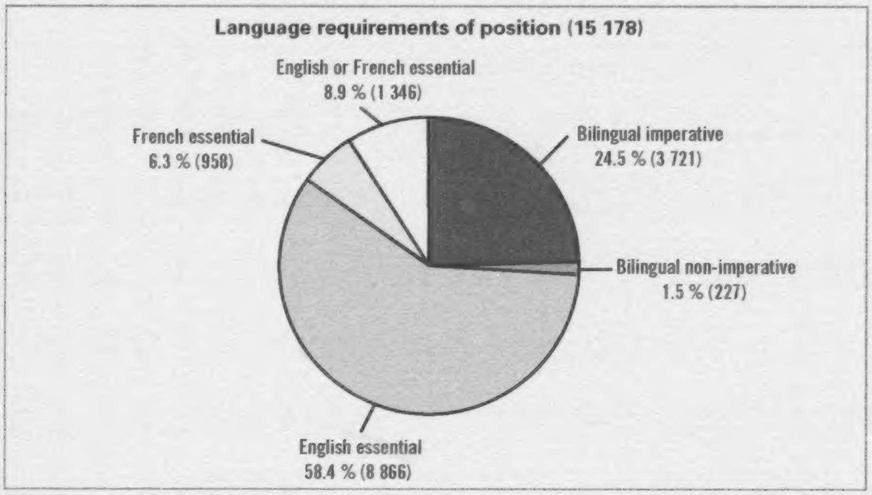
- For positions located in the National Capital Region, 49% of advertisements open to the Canadian public had a bilingual imperative requirement, meaning the person had to meet the language requirements of the position at the time of appointment.[14]

These advertisements resulted in 15 178 term and indeterminate appointments to the public service with various language requirements.[15]

These advertisements resulted in 15 178 term and indeterminate appointments with various language requirements.

- 24.5% (3 721) were to bilingual positions staffed on an imperative basis, meaning the person had to meet the language requirements of the position at the time of appointment.[16] This was a slight increase from 23.9% in 2003-2004.
- 1.5% (227) were to bilingual positions staffed on a non-imperative basis, meaning the appointee was not required to meet the required proficiency in both official languages at the time of appointment.
- 58.4% (8 866) were to English essential positions.
- 6.3% (958) were to French essential positions.
- 8.9% (1 346) were to positions for which either English or French was essential.

Figure 8 - Number and percentage of appointments to the public service by language requirements of position, 2005-2006*



* Please see technical notes, table 29, (page 137).

---

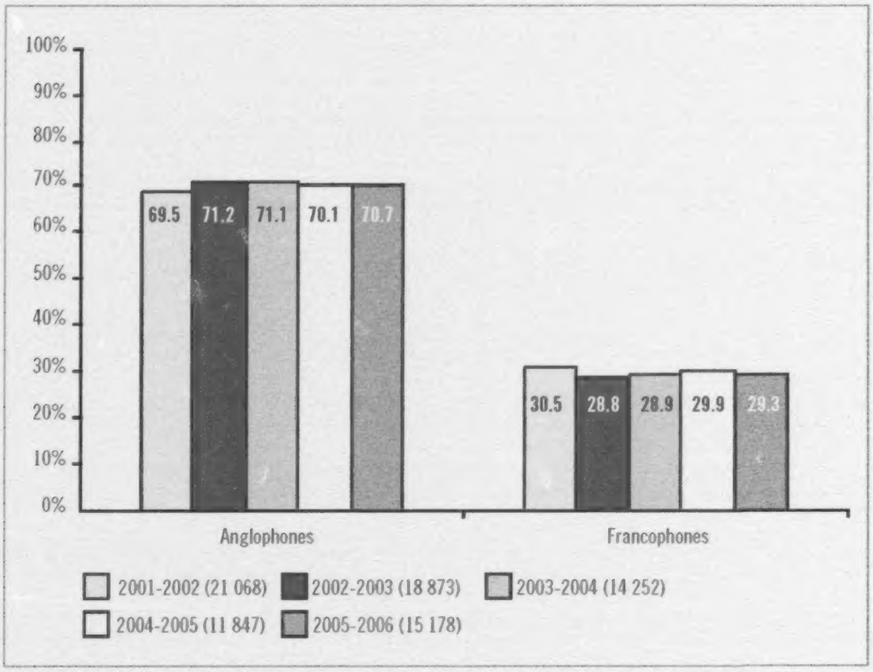
[14] These figures were extracted from the on-line posting form and the Public Service Resourcing System.

[15] The sum of appointments by language requirement will not equal the total appointments due to 60 appointments where the language requirement was not reported.

[16] Please see section 6.3 "Official languages - Oversight of the *Public Service Official Languages Exclusion Approval Order*" for more details on exemptions from meeting language requirements at the time of appointment, either to or within the public service.

Seventy point seven percent , 70.7% (10 638) of new appointees to the public service in 2005-2006 identified English as their first official language; 29.3% (4 411) identified French as their first official language.[17] This ratio has remained stable over the last five years.

Figure 9 - Appointments to the public service by language group*



* Please see technical notes, table 29, (page 137).

Looking more closely at both the official languages requirements for new appointments to the public service, and at the first language of those appointed in 2005-2006 shows the following:

- 34.8% of persons appointed to bilingual positions were Anglophones.
- 32.9% of persons appointed to bilingual positions on an imperative basis were Anglophones.
- 66.1% of persons appointed to bilingual positions on a non-imperative basis (using the *Public Service Official Languages Exclusion Approval Order*) were Anglophones. Language training is required for non-imperative appointments when the candidate does not meet the language requirements of the position. For more information concerning the application of the Order, see section 6.3.

---

[17] The sum of appointments by first official language will not equal the total appointments (15 178) due to 129 appointments where the first official language was not reported.

The PSC, in partnership with the Public Service Human Resources Management Agency of Canada, is moving forward with the implementation of a five-year initiative begun in 2003 to increase the number of bilingual candidates applying for federal public service jobs. In 2005-2006, 199 presentations were given to 5 539 participants, and 64 partnerships were established with various groups such as universities offering immersion or second language training. The goal is to provide information on the recruitment and selection process, on language requirements and on second language testing in the federal public service.

Perceptions surrounding fairness and transparency in staffing processes remain an area of concern for the PSC.

Fairness and transparency

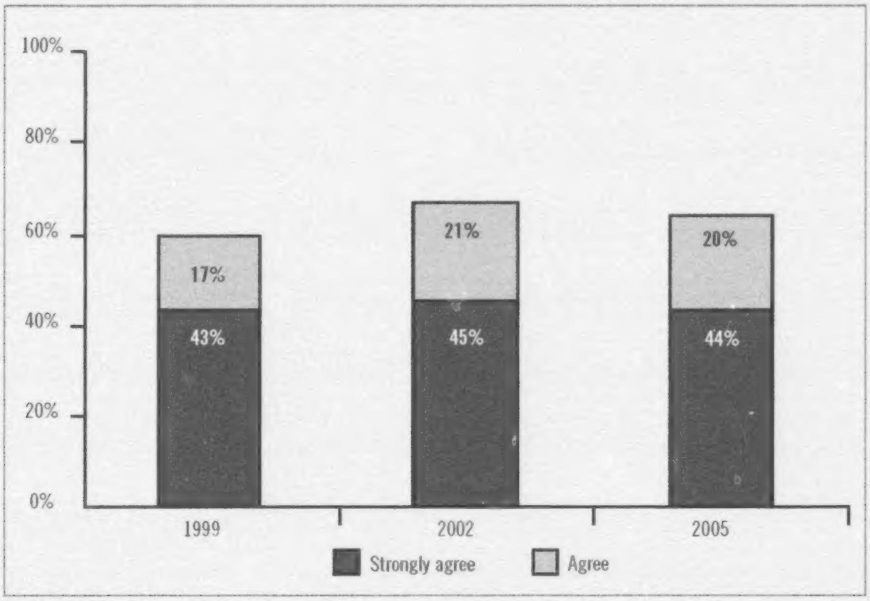
Perceptions of fairness and transparency were assessed through the results of the Public Service Employee Survey and the PSC Survey of Appointments. The hiring and staffing data available in central systems were examined for trends in specific areas of concern raised in the past. Information was also gathered from organizations on actions they are taking to address these issues.

Perceptions surrounding fairness and transparency in staffing processes remain an area of concern for the PSC. The recurring comments from federal employees and their perception of shortcomings in fairness and transparency reveal persistent gaps. The continued reliance on casual appointments and acting appointments is an indicator of the impact of a lack of HR plans and monitoring systems. The PSC will continue to closely monitor specific issues and organizations where the risk is greater.

Employees have expressed concerns about fairness in the appointment process through various surveys over time.

- In the Public Service Employee Survey, employees across the public service were asked if they agree that the process of selecting a person for a position is done fairly in their work unit. The percentage of respondents who agreed or strongly agreed ranged from 60% in 1999 to 66% in 2002, and 64% in 2005.
- In the 2005 employee survey, 60% of respondents who were candidates in competitions during the past three years indicated that they found the competitions were run in a fair manner. The last three cycles of the PSC Survey of Appointments, conducted from July 2003 to March 2005, showed similar results when successful candidates were asked whether or not they agreed with the statement: "internal appointment processes are handled fairly".

Figure 10 - Public Service Employee Survey: perceptions of fairness over time



The high use of temporary staffing measures (acting appointments, term and casual workers) contributes to perceptions of a lack of transparency.

Consistent data from the Public Service Employee Survey and the PSC Survey of Appointments suggest employees are disillusioned by a lack of transparency.

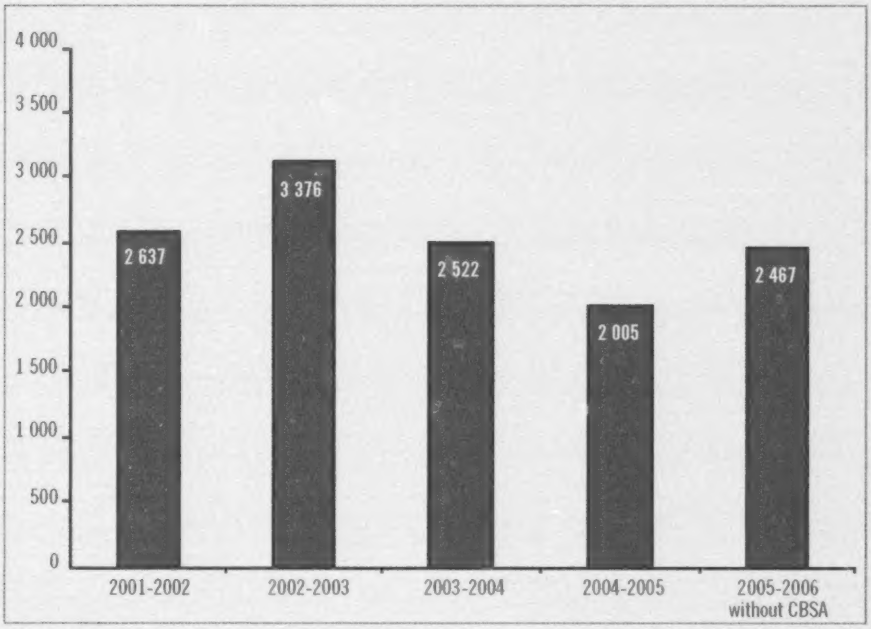
- In the 2005 Public Service Employee Survey, 37% of respondents indicated that a lack of information had moderately to significantly adversely affected their career progression. These results are identical to those in the 2002 survey.
- Successful candidates responded in a similar way in the last three cycles of the PSC Survey of Appointments when asked whether or not they agreed with the statement: "appointment processes were being conducted in a transparent way".

The high use of temporary staffing measures (acting appointments, term and casual) contributes to perceptions of a lack of transparency.

- The PSC has been concerned with use of acting appointments, in particular the use of long-term acting appointments, as the majority of these appointments are made without considering other candidates, leading to perceptions of unfairness.

- A review of the current acting appointment situation reinforces these concerns. As of December 31, 2005, 7 640 public servants (4% of the population) were in acting situations that lasted longer than one year; 26% of those appointments were made prior to the 2004-2005 fiscal year, more than 20 months previously. Furthermore, nearly 10% of long-term acting situations involved employees hired under a specified term of employment.
- The high use of casual appointments (see figure 6, page 50), for which merit is not assessed, and the subsequent appointment of a proportion of these persons to term and indeterminate positions, also contribute to perceptions of unfairness.
- A total of 17% of new public service employees appointed to term and indeterminate positions in 2005-2006 have a recent history of casual employment. The figure below shows the trend over the past five years.

Figure 11 - New indeterminate and specified period hiring activities to the public service with a previous employment status of casual*



* Please see technical notes, table 24 (page 133).

Organizations are taking steps to improve their practices in building fairness and transparency.

- Our assessment of staffing performance showed that 91% of organizations met the essential requirements related to transparency for the coming into force of the new Act. Where shortcomings were evident, the organization was notified and the PSC will follow up to ensure that any outstanding issues are addressed.
- The PSC Survey of Appointments also shows that organizations are adopting more consistent communication mechanisms, and respondents reflect increased satisfaction with the communication of staffing strategies.
- Organizations are also implementing HR planning processes designed to better forecast their personnel requirements, and monitoring mechanisms in order to take corrective action early when a problem occurs. (For more detail see section 2.3 and the section on"Control" starting on page 61).

Organizations are taking steps to improve their practices in building fairness and transparency.

The PSC will continue to monitor these practices through centrally generated reports and ongoing discussions with departments considered more at risk.

Noteworthy practice

Statistics Canada is developing a mechanism to gather feedback from participants in their internal appointment processes. The results are reported to the management group that provides oversight of staffing across the organization, enabling a quick response. With this approach, Statistics Canada is providing a voice to participants who are not normally given a forum, and ensuring that management is given a clear opportunity to listen – taking the organization forward in achieving the kind of effective dialogue envisioned in the new Act.

B. Establishing staffing management frameworks

In 2005-2006, organizations were required to implement the essential measures for coming into force of the new PSEA in four areas of the Staffing Management Accountability Framework: governance, communication, policy and control. The essential measures focused largely on the development of mechanisms critical to managing delegations and accountabilities during the transition period, while continuing to make appointments. They also included provisions to enable organizations and the PSC to examine the results.

The PSC developed specific criteria to assess organizational performance on these essential measures, and a rating was given as to whether or not the information provided by the organization demonstrated that it "met" the essential requirement, that it was "progressing", or that it "did not meet".

Overall, organizations have put in place governance structures to ensure decision-makers are aware of their responsibilities. They have also developed the mandatory staffing policies and raised awareness among the employee population and other stakeholders of the key changes and their impacts. Work remains in areas that require an investment in capacity, such as HR planning and internal monitoring and controls.

Governance

> Overall, governance was found to be a strength across departments. The emphasis in governance was on the decision-makers: ensuring that those with the authority to make staffing decisions were aware of their responsibilities, trained in the new Appointment Framework and had access to appropriate HR expertise.

Overall, governance was found to be a strength across departments.

For some organizations, the transition was easier than for others. **Transport Canada**, for example, already had in place a sub-delegation structure that contained many of the new requirements: training was mandatory, and sub-delegated managers were required to sign and accept the authorities they were granted.

Most other organizations had farther to go. The new PSEA encourages staffing authority to be sub-delegated to managers at the lowest level possible. Traditionally, though, some organizations preferred to grant this authority only to HR experts, or retain senior management control on these decisions. Others relied on checks and balances provided by the PSC to provide rigour to their approach. All this has been required to change.

Although the PSC provided early guidance, reporting organizations finalized their delegation agreements with the PSC in the last weeks of 2005. This timing created some delays, particularly in those organizations where the practice of sub-delegating to managers was new.

- The essential criteria for the PSC's assessment were that the sub-delegation instrument was approved by the deputy head, that it defined the roles and responsibilities of sub-delegated managers, and that it was communicated and accessible to sub-delegated managers. Overall, 79.5% of organizations were found to have met this measure. Work was in progress in the rest.

On balance, the PSC found that reasonable mitigating strategies such as training were put into place to address the risks associated with unfinished work. The criterion for assessment was that four fifths of sub-delegated managers had participated in values-based training for the new staffing regime. Ninety-seven point four percent (97.4%) of organizations met this measure, ensuring that the new flexibilities and accountabilities were well-understood, even though formal governance structures were being developed.

Noteworthy practices

Agriculture and Agri-Food Canada and **Indian and Northern Affairs** are two departments that are granting staffing sub-delegation only to managers who also have financial signing authority.

Statistics Canada has a long-standing practice of reviewing higher risk decisions (i.e., non-advertised appointments) made by sub-delegated managers in a management oversight committee. Other organizations, such as the **Canada School of Public Service**, have also adopted this practice.

As a requirement for sub-delegation, organizations were also required to demonstrate that managers have access to HR resources whose expertise has been validated by the PSC. The results of this assessment are included in the broader discussion of HR capacity in section 2.3, "Challenges in advancing PSEA implementation." The PSC will continue to assess and report on how well organizations are resourced to deliver on their staffing priorities.

Communication

Communication was another strength. Organizations were required to demonstrate that:

- they had informed employees of the implications of the new PSEA;
- they had informed employees about the organization's new approach as described by their policies; and
- their employees have easy and timely access to information on employment opportunities and recourse avenues.

Ninety-one per cent (91.0%) of organizations demonstrated that they met all three of these essential requirements for communication early in 2006. The communication of policies was the most notable gap, and information gathered from the remaining organizations indicated that this step was to be completed shortly. Where shortcomings were evident, the organization was notified and the PSC will follow up to ensure that any outstanding issues are addressed.

Ninety-one per cent (91.0%) of organizations demonstrated that they met all three of these essential requirements for communication early in 2006.

Achieving these results was not always easy. Many public service jobs involve long absences (such as serving in the Coast Guard) or extended international travel. Other occupations (such as border guards and grain inspectors) work on 24-hour shifts. Extra efforts had to be made to ensure that these employees have access to the information they need.

Noteworthy practices

Canadian Heritage and **Citizenship and Immigration Canada** collaborated in the development of a brochure entitled "How to apply for a job" that effectively described the implications of the new Act for employees. Not only was this brochure distributed internally within these two organizations, but it was also made available more broadly. Approximately 20 other organizations incorporated this brochure into their employee communications.

Policy

Organizations have put in place policies and procedures to ensure they meet their organizational needs while respecting PSC requirements.

Although departments and agencies expected to have mandatory policies in place during the preparation phase described in chapter 2, the staffing performance assessment applied more stringent criteria. Not only were the mandatory policies to be approved and communicated to all employees, but they were also assessed against the specifics provided in the PSC Appointment Framework. In this review, 70.5% of organizations met all the requirements in the Framework. Where shortcomings were evident, the organization was notified and the PSC will follow up to ensure that any outstanding issues are addressed.

A number of organizations went beyond the minimum requirements or drafted their own policies to address specific organizational issues.

A number of organizations went beyond the minimum requirements or drafted their own policies to address specific organizational issues.

Noteworthy practices

Citizenship and Immigration Canada is one organization that went beyond the minimum requirement, by developing policy guidance on the management of acting appointments and the hiring of relatives and associates in order to make the organization's approach clear to all stakeholders.

While consultation with unions was a minimum requirement, **Library and Archives Canada** went beyond the norm by actively collaborating with their employee representatives in their approach.

Control

Control is an area in need of improvment. Organizations were asked to demonstrate that they were able to capture the information needed to monitor staffing performance, and had the capacity to analyze the data collected, identify patterns and risks, and take action to respond to their findings.

With the coming into force of the new PSEA, deputy heads are accountable to the PSC for the proper use of their delegated authorities. Internal monitoring was not a requirement in the old PSEA, but the PSC traditionally filled this role; as a result, resources and infrastructure were acknowledged to be lacking within departments and agencies.

Monitoring appointment decisions has posed a significant challenge. Organizations with pre-existing practices for monitoring, such as the **Department of National Defence** and **Fisheries and Oceans Canada** were at a definite advantage.

Monitoring appointment decisions has posed a significant challenge. Organizations with pre-existing practices for monitoring… were at a definite advantage.

Noteworthy practices

Statistics Canada keeps rigorous records of management committee decisions that are specifically designed to review appointments and manage collective staffing actions.

Several organizations, among them **Canadian Heritage** and **Citizenship and Immigration**, have developed a "dashboard" of HR information for planning and decision-making, and made it available to managers.

The PSC looked first at organizations' practices in documenting staffing files, including the new requirement for a rationale to explain certain decisions. Since few staffing actions had been initiated under the new PSEA at the time of assessment, the criterion was the existence of a template or a checklist to ensure consistency in this area.

- Four fifths (80.8%) of organizations were able to demonstrate that they met this measure, and the remaining organizations were making progress in this area.

Capturing information is only part of this challenge. Organizations were also asked to demonstrate that they had developed the capacity for monitoring of staffing (including the capacity to analyze the data collected, identify patterns and risks, and take action to respond to their findings).

- Although only 32.1% of organizations were able to meet this measure, this result was not surprising: organizations were focused on building an approach to appointments under the new PSEA and on training and awareness for coming into force, whereas most of the work in monitoring occurs after appointments are made. Overall, the requirement was well understood and work was under way in many organizations. However, more progress is needed for departments to have the information they need for planning, monitoring and reporting purposes. The issue of timely management information, including systems support (noted in section 2.3 "Challenges in advancing PSEA implementation"), was and is a major issue for departments and agencies in building capacity to meet the requirements of the new Act. The PSC expects to see improvements in this area.

...more progress is needed for departments to have the information they need for planning, monitoring and reporting purposes.

Organizations had an additional challenge in finding strategies to mitigate risks in staffing processes. To minimize this concern, the PSC will be holding learning sessions on active monitoring and risk management during 2006-2007. We will also be providing advice and guidance to organizations on developing and implementing their staffing management and accountability frameworks.

...the PSC will be holding learning sessions on active monitoring and risk management during 2006-2007.

- **The Canadian Transportation Agency** was able to demonstrate management practices that effectively alleviated concerns that were evident in their data.
- **Public Works and Government Services Canada** has implemented a mechanism allowing it to follow up regularly on staffing practices and to bring concerns to the attention of management for information and decision. This department has its own information system for HR management that can provide the department with reports required for staffing oversight.

Recognition

Based on an assessment of organizational performance on the above elements of governance, policy, communication and control, the top performing organizations, in alphabetical order, were:

- Agriculture and Agri-Food Canada
- Canada School of Public Service
- Canadian Forces Grievance Board
- Canadian Human Rights Commission
- Canadian Human Rights Tribunal
- Canadian International Development Agency
- Canadian International Trade Tribunal
- Canadian Transportation Accident Investigation and Safety Board
- Department of Justice
- Department of National Defence
- Financial Consumer Agency of Canada
- International Joint Commission
- Law Commission of Canada
- National Farm Products Council
- Office of Infrastructure of Canada
- Office of the Governor General's Secretary
- Office of the Commissioner for Federal Judicial Affairs
- Office of the Registrar of the Supreme Court of Canada
- Public Service Commission of Canada
- Public Service Human Resources Management Agency of Canada
- Public Service Labour Relations Board
- Royal Canadian Mounted Police External Review Committee
- Transportation Appeal Tribunal of Canada

4.2 Statistical studies – Highlights

In 2005-2006 the PSC launched its first statistical studies series. This initiative was undertaken primarily to support our oversight role as exercised through our monitoring, audit and investigation functions. The first two studies in the series published in 2006 are reported on below.

Priority Appointments of Persons Employed in Ministers' Offices to the Federal Public Service: This study examined the appointment and career history of members of ministers' staff who were appointed to the federal public service on the basis of their priority entitlement, over an 11-year period from 1993-1994 to 2003-2004. Over that period, 243 persons who separated from ministers' offices became public servants as a result of a ministerial priority. The PSC estimates that this is about one third of those who were eligible for a priority appointment. More than half of those appointed were women. The majority of persons appointed had at least three years of continuous service as a minister's staff member. About one third were appointed to senior positions (EX minus 1 or higher). Almost half were appointed to positions involving program administration. Those who became public servants tended to spend their careers in the public service, the majority remaining at the same occupational group and level during their first five years.

The entitlement to priority appointment for eligible ministers' staff was provided in Section 39 of the previous PSEA, and retained in Section 41 of the new Act. Under the new PSEA, not only must ministers' staff be eligible for the priority; they must also meet the essential qualifications of the job. The PSC decided not to delegate authority for the priority appointment of ministers' staff to positions in the Executive Group. The ministers' staff priority provision of the PSEA is under parliamentary review as part of Bill C-2 (*Federal Accountability Act*).

Time to Staff in the Federal Public Service: Some Contributing Factors: This study explored the time required to staff a position, and the factors involved. The study was based on the results of the PSC Survey of Appointments that was conducted semi-annually, over a four-year period, from 2000 to the end of 2003, prior to the implementation of the new PSEA. The study defines "time to staff" as beginning with the commencement of the staffing action and ending when the appointee reports to work. The study found that the average, or mean, time to staff is about 23 weeks when a competitive process is used to fill a position on a permanent basis. The time to staff is influenced both by the number of positions to be filled and the number of applicants. Departments and agencies that take longer to staff run larger processes from which they staff multiple positions, and organizations that staff positions more quickly tend to run much smaller processes from which they staff fewer positions. (For example, when there are between one and five applicants, the mean staffing time is about 14 weeks.) Managers also pointed to a number of other factors which slow down the hiring process, such as the lack of availability of persons to participate on selection boards and the degree of knowledge and expertise of both hiring managers and HR professionals.

The following study is under way and is planned for publication in the fall of 2006.

Acting Appointments and Subsequent Promotions in the Federal Public Service: The PSC has had a longstanding concern that acting appointments favour the actors in subsequent staffing processes. The purpose of this study is to explore this issue in detail through an analysis of the employment history of public servants, by means of the PSC Job-Based Analytical Information System. The System is used to estimate appointment data across the public service.

The PSC is working on a number of other statistical studies for publication in 2007. These include a study about the extent to which casuals become employed under the PSEA and a study providing the educational profile of appointees.

4.3 Audits conducted in 2005-2006

The PSC selects audits of staffing activities either within a single department or across multiple departments, based on an assessment of risk using the results of its monitoring activities. In 2005-2006, the PSC initiated a project to strengthen its risk assessment framework. This new framework is designed to better integrate audit planning with the PSC's other oversight activities and to develop a five-year audit plan.

The PSC selects audits of staffing activities either within a single department or across multiple departments, based on an assessment of risk using the results of its monitoring activities.

The following audits were tabled in the spring of 2006.

Audit of the Canadian Space Agency (CSA): As a result of concerns identified by the PSC in our assessment of the CSA's Departmental Staffing Accountability Report, the PSC undertook an audit of the Agency's staffing activities. This audit found a number of shortcomings in the management of staffing operations. It noted a lack of leadership and accountability in the management of human resources. There was also a poor understanding and definition of the roles and responsibilities of managers and HR advisors.

Furthermore, the CSA had not integrated its HR planning into its overall planning, and staffing activities were initiated on an ad hoc basis. In addition, the audit report concluded that the CSA did not respect the merit principle and staffing values in 48% of the transactions reviewed. As a result of our findings, the PSC placed conditions on the CSA's delegated staffing authorities in December 2005. These conditions will remain in effect until the PSC is satisfied that the CSA has a proper staffing system in place.

Follow-up Audit of the Office of the Privacy Commissioner of Canada (OPC): In July 2003, the PSC revoked the OPC's delegation of authority for staffing of executive positions and placed conditions on delegation of staffing for non-executive positions. Following this audit, the PSC monitored the OPC's progress towards addressing our concerns, including the conduct of two follow-up audits, one in June 2004 and the second in May 2006. The 2006 follow-up audit found that the OPC had made significant improvements in its staffing systems and practices. The OPC now has systems appropriately designed to provide reasonable assurance that its staffing activities respect merit and the staffing values. The PSC therefore concluded that the OPC has adequately responded to the recommendations of our June 2004 follow-up and met the critical requirements for implementing the new PSEA. As a result, we removed the conditions we imposed in 2003 and returned delegation for executive appointments. The OPC now has standard delegation of appointment authorities and reporting requirements.

The following audits are under way and are planned for release in the fall of 2006.

Audit of Acting EX Appointments: This audit was conducted to determine whether selected departmental management control frameworks for acting EX appointments for periods greater than four months to the EX group, and six months within the EX group were effective, and whether staffing decisions related to these appointments adhered to the requirements of the PSEA, the *Public Service Employment Regulations* and relevant policies. The departments selected for this audit were: the Canadian Radio-television and Telecommunications Commission, the Commissioner of Official Languages, Finance Canada, Indian and Northern Affairs, National Defence, Natural Resources, Statistics Canada, Transport Canada and the Treasury Board Secretariat.

Audit of Readiness for the New *Public Service Employment Act*: The PSC initiated this audit to determine how well selected departments met the essential elements for implementing the new PSEA. In particular, the audit focussed on mandatory policies, delegation agreements, training of managers and human resources professionals, communications on the new Act, and the tracking and monitoring of staffing activities. The departments selected for this audit were: Health Canada, the Military Police Complaints Commission, National Defence, the Office of the Privacy Commissioner, the Public Service Commission and the Royal Canadian Mounted Police.

Follow-up Audit of the Military Police Complaints Commission (MPCC): In October 2004 the PSC withdrew the MPCC's delegation of authority for staffing of executive positions and placed conditions on delegation of staffing for non-executive positions. The purpose of the 2006 follow-up audit is to assess the MPCC's progress towards addressing our concerns.

In the past, while departments were involved with most staffing activities, the PSC exclusively managed all executive resourcing. Under the new PSEA, the PSC decided to delegate the authority for executive appointments to deputy heads. At the same time, the PSC decided that special oversight attention should be paid to this delegation, at least in the short term. This will be accomplished through the **Audit of Executive Appointments**, the focus of which is to assess the extent to which departments are effective in exercising the newly delegated authorities related to executive staffing. The PSC expects to report on the results of this audit in the fall of 2007.

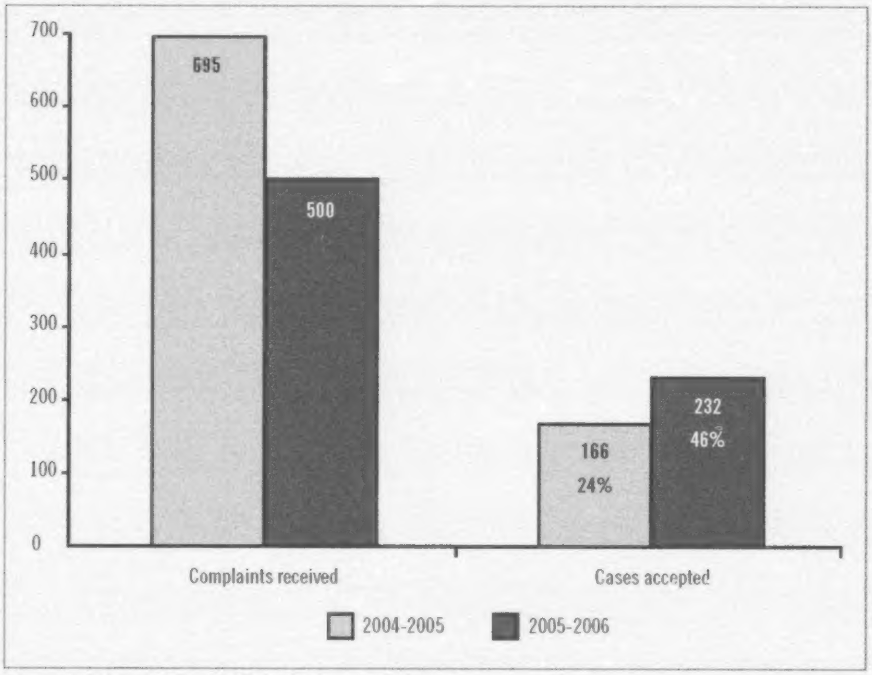
4.4 Investigations conducted in 2005-2006

In 2005-2006, the PSC carried out investigations into various appointment processes when a problem was indicated that may have affected the selection process.

In 2005-2006, the PSC received 500 requests for investigations.

In 2005-2006, the PSC received 500 requests for investigations (figure 12). All but one of these, received in the last quarter of the fiscal year, related to appointment processes initiated prior to December 31, 2005, under the former PSEA. Investigations under that Act continue, as selection processes initiated prior to December 31, 2005 are finalized.

Figure 12 - Investigations: Number of complaints received and number of cases accepted



- By year's end, 232 cases (46%) were opened for investigation (compared to 24% in 2004-2005).

Examples of issues raised include:

- questions regarding the qualifications listed for a competitive process;
- concerns regarding processes open to the general public;
- issues involving the administration of an eligibility list established as a result of a selection process under the former PSEA; and
- other problems with competitive and/or non-competitive processes.

In 2005-2006:

- 159 investigation cases were closed, of which 32 (20%) were founded (a problem in the staffing process was noted);

- 66 (42%) were resolved (through mediation or some other no fault resolution);
- 37 (23 %) were unfounded; and
- 24 (15%) were either withdrawn or discontinued.

In comparison, the previous fiscal year saw 300 cases closed, which included a large number of cases (160) which were discontinued, some of which were group complaints.

Case studies: The following case studies of investigations under the former PSEA illustrate the kinds of issues the PSC is seeing in the staffing system.

Case study no. 1 – Fundamental flaws in acting appointments process

This case involved eight lengthy acting appointments in the Department of National Defence that were extended without any Right to Appeal notices being posted. In addition, the positions in which employees were acting were reclassified at a higher level.

As a result of our investigation, two fundamental flaws were identified in the way the Department handled the acting appointments:

- The Department did not meet the legal obligation to post Right to Appeal notices when the positions in which employees were acting were reclassified and the same employees were appointed to act at a higher level.
- It utilized acting appointments as long-term, essentially indefinite, solutions to other situations, as opposed to using them only for truly temporary requirements as defined in the *Public Service Employment Regulations*.

Before corrective measures could be recommended, the Department had already taken the initiative to resolve the situation. Steps the Department took included:

- establishing target dates to resolve all cases of lengthy acting appointments; and
- establishing an approval mechanism by which HR specialists and senior management monitor acting appointments.

The Commission was satisfied that the Department's actions were adequate to correct the situation and to prevent the recurrence of the problem. The PSC, as an oversight body, will monitor the actions taken by the Department.

Case study no. 2 – Fundamental flaws in reference check method

In February of 2005, the Canada Border Services Agency (CBSA), was implementing a new approach to staffing with pre-qualified pools (PQP) for future hiring purposes. One of the "placement criteria" used for the initial selection of candidates from the PQP was a score of at least 90% on a certain qualification. As part of the candidate assessment process, reference check questionnaires had been sent to the candidates' supervisors. A referee answered each question by checking the applicable box. An investigation by the PSC identified two fundamental flaws with the reference check method used to assess this and other qualifications:

- All the selection board had obtained from the referees was their unsupported opinions, as expressed through their ratings on the questionnaires. The board did not require the referees to provide any substantiation for their ratings.
- The selection board had used only the referees' ratings, rather than reaching their own collective conclusions about the personal suitability qualifications of each of the candidates.

The Commission directed the Agency to establish a new selection board and a new reference check plan that would give the board the information they needed in order to reach their own conclusions about the personal suitability qualifications.

Case study no. 3 – Required occupational certification was missing

The Department of Fisheries and Oceans conducted an open competition and placed 38 names on an eligibility list. To the Department's credit, before hiring from the list, they discovered that one successful candidate did not possess the required occupational certification. This discovery led the department to conduct an internal review of other candidates' documents.

Following its internal investigation, the Department asked the PSC to remove names from the eligibility list because they were inadvertently screened into the competition and did not possess the required occupational certification, as stated in the Statement of Qualifications.

Our investigation confirmed the Department's finding that eight of the candidates applied for the position without possessing the required occupational certification. However, since the establishment of the eligibility list, five had obtained it, while three had not.

The Commission directed that all eight names be deleted from the eligibility list since they should not have been screened into the competition and should not have been found qualified.

Chapter 5

Non-partisanship

Non-partisanship

5.1 A new regime – a respected tradition

A politically neutral public service is a crucial element of Canada's system of government and is recognized as a cornerstone of good governance. Political neutrality means that the loyalty of the public service is to the Government of Canada, not to the party in power. This helps ensure a body of public servants ready to support long-term challenges, and helps promote stability of government, even in times of political change. It has been a defining feature of the federal public service that inspires confidence in Canadians and one that the PSC has sought vigilantly to protect.

The principles of non-partisanship and merit have been fundamental to the Canadian vision of a federal public service since the origins of the PSEA, dating back to 1908. In the current PSEA, it is embodied in section 30, which states that appointments shall be made on the basis of merit and must be free from political influence, and part 7, which provides the framework for those political activities in which public servants can engage. The PSC safeguards non-partisanship by making policies on how appointments are made, conducting audits and investigations, responding to requests for permission and leave of absence from employees who wish to be candidates, and providing guidance and tools to managers and employees.

The PSC safeguards non-partisanship by making policies on how appointments are made, conducting audits and investigations, responding to requests for permission and leave of absence from employees who wish to be candidates, and providing guidance and tools to managers and employees.

Political activities

The new PSEA provides a regime for governing and overseeing the political activities of public servants. It recognizes the need to balance the rights of employees to engage in political activities with the principle of an impartial public service. Public servants are permitted to engage in political activity as long as it does not impair, or is not perceived as impairing, their ability to perform their duties in a politically impartial manner. The political involvement of deputy heads is limited to voting.

The PSC's role in protecting the political neutrality of the public service includes:

- providing guidance on political activities;
- considering and, when appropriate, approving requests for permission and leave of absence to seek nomination or to be a candidate in an election; and
- investigating allegations of improper political activities.

The PSEA's provisions on political activities encompass federal, provincial, territorial and municipal politics and they apply to employees in federal organizations that are subject to the PSEA. They also apply to the following agencies, whose enabling legislation provides that the political activities provisions of the PSEA apply to their employees:

- the Canadian Institutes of Health Research;
- the Financial Transactions and Reports Analysis Centre of Canada;
- the Canada Revenue Agency;
- Parks Canada; and
- the National Film Board of Canada.

In advance of the coming into force of the new PSEA, the PSC provided guidance to departments and agencies by:

- adopting *Political Activities Regulations* that establish the process for requesting permission and approving requests from aspiring candidates at all levels of government;
- developing a guidance document that explains the employee's rights and obligations as they relate to political activities under the PSEA; and
- designing a self-assessment tool for employees which clarifies roles and responsibilities.

...it is now possible for anyone to submit an allegation of improper political activities by federal employees, and the PSC can investigate these allegations.

Under the new PSEA and the *Political Activities Regulations*, it is now possible for anyone to submit an allegation of improper political activities by federal employees, and the PSC can investigate these allegations (see exhibit "Investigations into allegations of improper political activities" below). The PSC can also initiate an investigation on the basis of an allegation received from other sources of information. However, only a person who is or was a candidate in an election may make an allegation that a deputy head contravened the PSEA.

Investigation into allegations of improper political activities

A central component of the PSC's role under the new PSEA is its independent investigations into allegations of improper political activities by public servants and deputy heads. Such investigations help to improve awareness within the public service of the importance of non-partisanship.

In the last quarter of 2005-2006, the PSC dealt with one investigation involving allegations of improper political activities. During the federal election campaign, a member of the public sent an e-mail to Canadian Heritage (with copies to the PSC and Treasury Board Secretariat) concerning a Web site which posted a story on the 2006 federal election. This story mentioned that an employee of Canadian Heritage had put together a Web site for a candidate. The article also mentioned that the public service employee had provided a government fax number and government e-mail address as the official contact for information about the candidate's Web site.

In February 2006, the PSC initiated an investigation. We discovered that, a few years ago, the employee had helped a friend register a Web site name. The employee's name and government coordinates were inadvertently listed as contact information for the registered name. In 2006, the friend became a candidate in the federal election and activated a personal Web site under the name registered by the employee of Canadian Heritage.

Upon learning that his name was listed as a contact person, the employee took immediate action to delete his name (and coordinates) from the Web site name.

After reviewing the matter, the PSC determined that the employee's involvement did not constitute an improper political activity because he was not personally engaged. Consequently, no further action was required in this case.

5.2 Political candidacy: Permission and leave granted

In its role of protecting the political impartiality of the public service, the PSC reviews requests from public servants for permission to seek nomination or to be a candidate in elections. Under the former PSEA, this was limited to federal, provincial or territorial elections. Subsection 33.(3) allowed the Commission to grant leave if it was convinced that the "usefulness to the public service of the employee in the position the employee then occupies would not be impaired by reason of that employee having been a candidate." The table below, covering 2000-2001 to 2004-2005, illustrates the disposition of requests submitted by public servants.

The new PSEA expanded the political activities regime to cover municipal elections, in addition to elections at the federal, provincial and territorial levels. The PSC may grant permission if it is of the opinion that the employee's candidacy would not impair, or be perceived to impair, the impartiality of the public service.

Table 3 - Requests for leave of absence pursuant to subsection 33(3) of the former PSEA 2000-2001 to 2004-2005[18]

Year	Federal/Provincial/Territorial Elections	
	Granted	Refused
2000-2001	4	
2001-2002	1	
2002-2003	5	
2003-2004	15	3
2004-2005[19]	6	
TOTAL	**31**	**3**

Source: PSC Internal Tracking System

New Act and election period transition

The new PSEA expanded the political activities regime to cover municipal elections, in addition to elections at the federal, provincial and territorial levels. The PSC may grant permission if it is of the opinion that the employee's candidacy would not impair, or be perceived to impair, the impartiality of the public service. In making this decision, the PSC may take into consideration factors such as the nature of the election, the nature of the employee's duties, and the level and visibility of the employee's position. In cases where the PSC refuses a request, the employee may submit a subsequent request for permission if the nature of his/her duties has changed.

---

[18] See below for the period of 2005-2006 covered by the former PSEA.

[19] Erratum: Paragraph 2.169 in volume 2 of the PSC's 2004-2005 Annual Report noted incorrect figures for the number of requests approved and denied in 2004-2005. As noted in the table above, the PSC received and approved six requests that year for leave of absence without pay to be a candidate.

- Once elected in a federal, provincial or territorial election, an individual ceases to be an employee of the public service. In the case of a municipal election, the PSC may grant permission conditional on the employee taking a leave of absence without pay or ceasing to be an employee if he or she is declared elected.

A federal election was called on November 29, 2005, which meant that the election period straddled two different regimes during the 2005-2006 period. From April 1, 2005 until December 30, 2005 candidacy requests were governed by the previous PSEA, and after December 31, 2005 by the political activities regime under the new Act.

For the period from April 1, 2005 to December 30, 2005, the PSC received 12 requests for leave of absence to seek nomination as, or to be a candidate under the former PSEA.

- Ten requests were granted during this period in connection with the federal election. This includes a candidacy request for the federal election that was initially denied, then subsequently resubmitted and approved. The PSC approved one request for leave to be a candidate in a future Saskatchewan provincial election.

Table 4 - Requests for leave of absence pursuant to subsection 33(3) of the former PSEA – April 1 2005, - December 30, 2005

Type of election	Requests approved	Requests denied
Federal	10	1
Provincial	1	
TOTAL	**11**	**1**

Source: PSC Internal Tracking System

The PSC initially refused one employee's request for leave to be a candidate in a federal election as the duties and functions of the person's position involved close contact with a minister's office. If unsuccessful as a candidate, the employee's participation in the federal election may have been perceived as impairing her ability to perform her duties in an impartial manner. The department subsequently deployed the employee to a new set of duties. A new request for candidacy was submitted against the new duties and the request was approved. The department and the employee agreed to the PSC's condition of a one-year "cooling off" period upon the employee's return to the public service, whereby the employee would not return to her original position.

Under the new Act, between December 31, 2005 and March 31, 2006, seven requests for permission to be a candidate in municipal elections were received, as well as one request for candidacy in a territorial election. As of March 31, 2006, three requests for permission to be a candidate in a municipal election were approved.

Under the new Act, between December 31, 2005 and March 31, 2006, seven requests for permission to be a candidate in municipal elections were received, as well as one request for candidacy in a territorial election.

Table 5 - Requests for permission to seek nomination or be a candidate pursuant to Part 7 of the PSEA – December 31, 2005 - March 31, 2006

Type of election	Requests approved	Requests pending a decision as of March 31, 2006
Municipal	3	4
Territorial		1
TOTAL	3	5

Source: PSC Internal Tracking System

5.3 Monitoring the political impartiality of the public service

Maintaining the reality and perception of a non-partisan public service is a central concern for the PSC. We intend to monitor, assess, and report on the state of political impartiality in the public service. We will do so by gathering and analyzing information from various sources, to manage risks to the non-partisanship of the public service, and to take remedial measures if necessary. Part of our approach will be to monitor, assess, and report on the performance of departments and agencies in helping preserve the real and perceived impartiality of the public service.

Departments and agencies have a key role to play in this area, and the PSC has set out a few expectations for them, including:

- providing information, advice, and assistance to employees regarding their rights and obligations when engaging in political activities;
- seeking guidance from the PSC on matters that cause a risk to political impartiality, and on which they may have to take action even when no allegation is made to the PSC;
- ensuring the respect of the PSC's requirements regarding a request for permission to seek candidacy; and
- providing assistance to the PSC in the conduct of its investigations, as well as in the administration of corrective measures that are taken by the PSC as a result of such investigations.

The PSC intends to monitor any issues or situations based on the risk they raise for the real or perceived impartiality of the public service.

The PSC intends to monitor any issues or situations based on the risk they raise for the real or perceived impartiality of the public service. This may result in the PSC taking other actions to improve, if necessary, the safeguarding of non-partisanship. Such actions may include closer monitoring of some types of situations, providing feedback to deputy heads on the performance of their organizations in safeguarding non-partisanship, or providing more guidance and support to organizations to help them improve their performance in this area.

5.4 Movement of individuals between the public service and ministers' offices

A crucial consideration in staffing the public service is to maintain the reality and the perception of impartiality; political neutrality of the public service is a core element of the PSC's mandate. The PSC is concerned about the reality and the perception of political impartiality in light of the unmonitored movement of public servants to and from ministers' offices as exempt staff (personnel exempt from the normal appointment procedures under the PSEA).

The PSC is concerned about the reality and the perception of political impartiality in light of the unmonitored movement of public servants to and from ministers' offices as exempt staff…

- Ministers have a budget allocated by Treasury Board for hiring exempt staff. The terms and conditions of employment for exempt staff are outlined in the Treasury Board's Guidelines for Ministers' Offices.[20]
- According to the PSC's statistical study on Priority Appointments of Persons Employed in Ministers' Offices to the Federal Public Service[21] which covered the fiscal period from 1993-1994 to 2003-2004, the number of persons employed in ministers' offices stood at 507 as of March 31, 2003.

Changes to the Conflict of Interest and Post-Employment Code for Public Office Holders include stronger limits on activities that exempt staff can pursue after they leave the minister's office, including a five-year ban on lobbying activities. At the same time, Bill C-2 (the *Federal Accountability Act*) would eliminate the priority right for appointment to public service positions which certain ministerial staffers currently enjoy upon ceasing to be employed in a minister's office.[22] These developments, taken together, may make it more difficult to find staff for ministers' offices and increase the likelihood of more public servants being invited to work as exempt staff in order to make up the potential shortfall.

---

[20] Exempt staff are different from departmental support staff assigned to assist the minister's office. Departmental staff includes a departmental assistant whose duties normally would be liaising between the minister's office and the department, managing the sharing of information and documents, and providing advice on departmental issues to the minister and his or her exempt staff, in collaboration with the deputy minister and senior departmental officials. Departmental staff may provide only non-political departmental advice that falls within the scope of the minister's portfolio responsibilities and are not to perform any public relations functions. These public servants are not exempt staff and remain employees of the department.

[21] Study available at http://www.psc-cfp.gc.ca/auditverif/statistical/2006/priority_appointments/priority_appointments_e.htm.

[22] Please see "Managing priority entitlements" in chapter 6, for more on the use of ministerial staff priority for appointments.

Public servants who work as exempt staff in a minister's office can gain valuable insight into the challenges facing a government and into the policy development process. This knowledge and experience can then benefit the work of the public service. However, the PSC considers that a public servant's time in a minister's office as exempt staff should be of a finite duration, the public servant should be on leave without pay from his or her public service job, and such movements should be monitored. Moreover, a public servant's employment as exempt staff should not dictate decisions made with respect to organization and staffing of public service positions.

The PSC investigated the circumstances surrounding two requests received from departments to provide a priority entitlement for appointment of two ministerial staff, pursuant to the PSEA (see exhibit "Appointments to phantom positions" below). It became apparent that in both cases, an individual in the minister's office sought to influence appointment decisions in a public service department. This is inconsistent with the values that underpin Canada's public service, and illustrates the potential for abuse of the appointment system. Appointments to and within the public service should be based on merit, and made in a fair and transparent manner, free from even the appearance of political influence or personal favouritism.

Appointments to and within the public service should be based on merit, and made in a fair and transparent manner, free from even the appearance of political influence or personal favouritism.

Appointments to phantom positions

After the federal election in January 2006, the PSC received requests from two departments (Health Canada and Public Works and Government Services Canada) to determine if a priority entitlement for appointment, pursuant to the PSEA, existed for two staff members of the ministers' offices. These requests indicated that the two employees were public servants on leave from positions to which they had been appointed, under the Special Assignment Pay Plan (SAPP), while performing their duties in the ministers' offices.

An investigation by the PSC into these placements through the SAPP revealed that these were, in fact, appointments to phantom positions, since the positions existed only on paper. The positions were created especially for these employees but they never performed the duties under the special assignments, and it was never intended that they be performed. Instead, they had immediately left these positions on leave without pay in order to assume duties within the ministers' exempt staff group.

One SAPP appointment had resulted from a direct request from an individual in the minister's office in order to facilitate the transfer of a public servant to that minister's exempt staff. The other appointment was initiated by the employee himself, who was at the time on a leave of absence from another department while serving as the chief of staff in the minister's office. His request to transfer was made directly to the office of the deputy minister, which facilitated the creation of the SAPP appointment.

The Commission concluded that the departments had violated the terms and conditions of their delegated authority in staffing through the misuse of an appointment tool, the SAPP. As a result, the two appointments to these phantom positions were revoked. The two individuals remained entitled to priority consideration as members of the ministers' exempt staff.

Through its work on the statistical study of priority appointments of ministers' staff, and with the results of the investigation noted in the preceding exhibit, the PSC determined that various routes have been used for such movement from the public service into ministers' offices as exempt staff, including assignment through Interchange Canada and leave without pay. The PSC looked at the number of employees who, over the past 10 years, went to work in a minister's office without a break in service, and subsequently returned to a position in the public service in the same or a different department without a break in service. It appears that about 100 employees have made these moves.

Controls and oversight required – Treasury Board's Employer Leave Without Pay Policy allows employees to take leave without pay to work in a member of Parliament's office but does not provide for monitoring. This is a concern as it creates situations that have the potential to put at risk the reality and the perception of political impartiality of the public service. Expectations must be clear, and oversight provided.

As a body which exercises a mandate that Parliament has set out in legislation, the PSC is of the view that appropriate controls and oversight should be put in place, preferably by legislative amendment. The PSC discussed the need to monitor and control this kind of personnel movement with the Public Service Human Resources Management Agency of Canada and the Treasury Board Secretariat. From our discussions, a policy solution appeared available. However, the Secretariat has recently indicated that:

- with the upcoming removal of exempt staff priorities and the continuing needs of ministers, it might not be the best solution to implement measures that may impede them from staffing their offices with suitable persons; and
- the ongoing Treasury Board Policy Suite Renewal Initiative will seek to clarify authorities and responsibilities in provisions on leave without pay for public servants who accept employment as exempt staff.

The PSC considers it important that this gap in the framework for monitoring movements between the public service and exempt staff be dealt with, in the interest of the real and perceived neutrality of the public service.

The PSC considers it important that this gap in the framework for monitoring movements between the public service and exempt staff be dealt with, in the interest of the real and perceived neutrality of the public service. The PSC will continue to monitor this movement to the extent the available tools permit.

Chapter 6
Matters of special interest

Matters of special interest

6.1 Managing priority entitlements

The *Public Service Employment Act* (PSEA) and the *Public Service Employment Regulations* (PSER) provide certain persons in career and workforce transition situations with an entitlement to be appointed ahead of all others to positions in the public service for which they are qualified. Examples of persons entitled to such priority appointments include surplus and laid-off employees, employees on extended leave of absence whose positions have been backfilled, ministers' staff who have ceased to be employed in a minister's office and employees with a priority entitlement due to the relocation of their spouse.

Over the course of 2005-2006 a new priority entitlement for the Governor General's exempt staff, modelled after the minister's staff priority entitlement, was introduced under the PSER. The priority entitlement for Canadian Forces and Royal Canadian Mounted Police (RCMP) members was also expanded. Under the former Regulations, only those members who became disabled as a result of special duty service could benefit from a priority entitlement. Under the new Regulations, the priority entitlement includes all members medically released.

The PSC retains the responsibility for administering these priority entitlements to ensure that the rights of priority persons are respected and that hiring organizations conduct their assessment of these individuals in a fair and transparent manner.

The Public Service Commission (PSC) retains the responsibility for administering these priority entitlements to ensure that the rights of priority persons are respected and that hiring organizations conduct their assessment of these individuals in a fair and transparent manner.

As indicated in last year's Annual Report, the PSC developed a new Priority Information Management System (PIMS), launched on August 15, 2005. This system permits the PSC and organizations to access reports that may be used to determine the extent to which an organization has respected priority entitle-ments. We will begin detailed monitoring using these reports in 2006-2007.

Overall, 1 109 new persons met the conditions to be considered for priority appointment in 2005-2006. This is in addition to the 1 044 persons whose priority entitlements were carried over from the previous fiscal year (See appendix 6, table 32 - Priority administration (public service total)).

Table 6 - New priority entitlements by fiscal year[23]

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
Leave of absence [24]	114	193	179	171	214
Ministers' staff [24]	47	30	68	34	41
Lay-off [24]	7	20	24	20	9
Surplus	276	231	567	210	282
Employees who have become disabled	58	65	51	42	34
Canadian Forces/RCMP who have been medically released	25	37	54	60	78
Relocation of spouse	263	277	314	360	364
Reinstatement of priority persons who accepted a lower level position	48	82	61	61	83
Governor General's exempt staff	n/a	n/a	n/a	n/a	4
TOTAL	**838**	**935**	**1 318**	**958**	**1 109**

---

[23] Source of data:
2001-2002 data from 2001-2002 Annual Report
2002-2003 data from 2002-2003 Annual Report
2003-2004 data from 2003-2004 Annual Report
2004-2005 data from 2004-2005 Annual Report
2005-2006 data from Priority Information Management System

[24] These three priority entitlements are statutory entitlements under the PSEA and are applied in the order shown. All other priority entitlements fall under the PSER and have no particular relative order.

The number of priority entitlements fluctuates from one fiscal year to another. These numbers are driven by actions which are either employer or employee initiated, giving rise to priority entitlements. Examples of these actions include granting leave of absence, relocation of spouses or common law partners and workforce adjustment situations. As noted last year, we again see an increase in the number of priority entitlements in the case of Canadian Forces/RCMP personnel who have been medically released. During 2005 -2006, the priority entitlement of 201 persons expired; this is consistent with data from previous fiscal years (see appendix 6, table 32 - Priority administration (public service total)).

The PSC's priority system oversaw the appointment of 675 priority persons in 2005-2006.

Table 7 - Priority appointments by fiscal year[25]

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
Leave of absence	141	109	128	125	180
Ministers' staff	31	31	41	35	25
Lay-off	14	14	9	9	8
Surplus	194	194	377	322	189
Employees who have become disabled	18	26	20	23	14
Canadian Forces/RCMP who have been medically released	20	18	29	36	48
Relocation of spouse	117	127	141	136	191
Reinstatement of priority persons who accepted a lower level position	25	21	8	11	17
Governor General's exempt staff	n/a	n/a	n/a	n/a	3
TOTAL	**560**	**540**	**753**	**697**	**675**

Although the total number of appointments of persons with priority entitlement did not decrease significantly from 2004-2005, the number of appointments of surplus employees dropped in 2005-2006 to levels comparable to 2001-2002 and 2002-2003.

In its 2004-2005 Annual Report, the PSC reported that the expenditure review process announced in the 2005 Budget would likely have a noticeable impact on the public service workforce, as almost $11 billion in savings were expected to be generated over five years through improved efficiencies. To prepare for the impact, the PSC undertook training for departments on priority administration and improvements to the Priority Information Management System.

The PSC remains committed to providing support to departments as the impact of expenditure review continues to unfold.

---

[25] Source of data:
2001-2002 data from 2001-2002 Annual Report
2002-2003 data from 2002-2003 Annual Report
2003-2004 data from 2003-2004 Annual Report
2004-2005 data from 2004-2005 Annual Report
2005-2006 data from Priority Information Management System

6.2 Ministers' staff priorities

The PSEA provides certain persons working in ministers' offices an entitlement, under limited circumstances, to be appointed ahead of all others to positions in the public service for which they are qualified. Among those entitled are senior exempt staff with three years or more of service in a minister's office and employees who have been granted leave from their positions in the public service to work for a minister.

Given that these persons are political staff and have worked in close proximity to a minister, there is greater risk of perceived political influence in their appointments to the public service, as compared to other priority appointments. For this reason, the PSC has chosen to put in place certain controls on the use of this entitlement, including:

- The PSC has sole responsibility on confirming that persons requesting a ministers' staff priority entitlement meet the criteria set out in section 41 of the PSEA.
- The PSC has not delegated authority for appointment of ministers' staff to positions in the Executive Group.
- Deputy heads who approach the PSC to appoint a ministers' staff priority to an executive position must first attest that the appointment does not constitute or appear to constitute a conflict between the duties performed while the person was employed in the minister's office and the duties of the position to which the person is being appointed. They must also attest that the appointment is free from political influence and personal favouritism, and would not be perceived as impairing the impartiality of the public service.

Deputy heads who approach the PSC to appoint a ministers' staff priority to an executive position must first attest that the appointment does not constitute or appear to constitute a conflict between the duties performed while the person was employed in the minister's office and the duties of the position to which the person is being appointed.

Table 8 Applications to confirm ministers' staff priority entitlement for 2005-2006[26]

Received	Denied	Entitlements confirmed under criteria set out in section 41 of the PSEA	Number pending confirmation as of March 31, 2006
84	11	66	7

Of the 84 requests to confirm a ministerial staff priority entitlement in 2005-2006, 66 met the criteria set out in Section 41. Once their entitlement has been confirmed, it is the prerogative of each individual whether to activate their entitlement, and they must inform the PSC if they wish to do so. For the period 2005-2006, 41 ministers' staff priority persons informed the PSC of their desire to use their entitlement. As of March 31, 2006, 20 persons with priority entitlement as ministers' staff were actively seeking appointment to the public service through the PSC's priority inventory.

Table 9 - Ministers' staff priority entitlements from 2001-2002 to 2005-2006[27]

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006
Number of ministers' staff priorities who activated their entitlement	47	30	68	34	41
Number of appointments	31	31	41	35	25
Number of entitlements expired without appointment	5	4	5	20	2

---

[26] Source of data: Priority Administration Unit

[27] Source of data:
2001-2002 data from 2001-2002 Annual Report
2002-2003 data from 2002-2003 Annual Report
2003-2004 data from 2003-2004 Annual Report
2004-2005 data from 2004-2005 Annual Report
2005-2006 data from the Priority Information Management System

During 2005-2006, 25 appointments of former ministers' staff members with priority entitlement were made; one of these appointments was to the Executive Group. This represents a decrease in appointments from previous years, although the number who chose to activate their entitlement has increased since 2004-2005.

More information on the use of priority entitlements by ministerial staff is included in section 4.2 (Statistical studies - Highlights, "Priority Appointments of Persons Employed in Ministers' Offices to the Federal Public Service").

The Government has taken steps to remove from the PSEA the priority entitlement for ministers' staff. The *Federal Accountability Act* (Bill C-2) received second reading in the Senate and was referred to Committee on June 27, 2006. The Act sets out the Government's intention to remove the entitlement for ministers' staff and instead allow them to apply for internal competitions for public service positions for up to one year after they have served for three years in a minister's office. The transitional provisions of Bill C-2 indicate that persons who meet the criteria outlined in section 41 of the PSEA would continue to have priority entitlement for a period of one year, if the day they ceased to be employed is prior to the coming into force of the new legislation.

The Government has taken steps to remove from the PSEA the priority entitlement for ministers' staff. The Federal Accountability Act *(Bill C-2) received second reading in the Senate and was referred to Committee on June 27, 2006.*

6.3 Official languages – Oversight of the *Public Service Official Languages Exclusion Approval Order*

The PSC is responsible for the application of the *Public Service Official Languages Exclusion Approval Order* (the Order). Under the Order, a public servant may be exempted from meeting the language requirements of his or her position for a period of two years, with the possibility of an extension for the reasons set out in the Order (see appendix 4). While the new Order came into force in December 2005, we will only see the first extensions from the beginning of the year 2008 (employees exempted in January 2006 will have until January 2008 to meet the linguistic requirements of their position). Therefore, the extensions reported in this document were extensions granted under the old Order.

...a public servant may be exempted from meeting the language requirements of his or her position for a period of two years, with the possibility of an extension...

For the members of the Executive Group exempted under the old Order, the two-year exemption period can be extended with the approval of the PSC. For the other occupational groups, deputy heads have the authority to grant extensions. However, the PSC retains the authority to approve exemptions on humanitarian grounds for all groups and levels.

Table 10 - Requests for extension in 2005-2006 for members of the Executive Group

Submitted	Approved	Withdrawn	Under review
61	50	7	4

Source: PSC official languages files

Table 11 - Requests for exclusion on humanitarian grounds in 2005-2006 for all groups

Submitted	Approved	Withdrawn	Under review
16	12	2	2

Source: PSC official languages files.

Although the table below indicates that the number of non-imperative appointments has decreased in the past five years, the percentage of employees who do not meet the requirements of their position upon appointment has remained more or less the same. The PSC monitors the situation of these employees when the two-year exemption period granted upon their appointment has ended.

Table 12 - Number of employees who benefit from an exemption period under the Order

	Indeterminate bilingual appointments	Non-imperative appointments	Did not meet requirements upon appointments (%)
2001-2002	16 840	3 898 (23%)	493 (13%)
2002-2003	20 216	4 505 (22%)	726 (16%)
2003-2004	17 786	3 848 (22%)	523 (14%)
2004-2005	16 029	2 768 (17%)	454 (16%)
2005-2006	19 793	2 180 (11%)	308 (14%)

Source: PSC appointment files excluding acting appointments.

The PSC implemented an oversight system for the Order in 2003-2004. The data collected in 2003-2004 and 2004-2005 revealed that several organizations had numerous non-compliant situations. The term "non-compliant" refers to situations where the employees do not meet the language requirements of their position at the end of the initial two-year exemption period and have neither received an extension of the exemption period, nor been deployed to a position for which they are fully qualified, nor are granted an exclusion under the Order.

The term "non-compliant" refers to situations where the employees do not meet the language requirements of their position at the end of the initial two-year exemption period ...

To ensure more effective control in April 2005, the PSC asked 76 departments and agencies to provide new data on the Order's application. The data and action plans enabled us to update organizations' situations, and showed what steps they had taken to resolve the non-compliant situations reported in 2003-2004 and 2004-2005.

Although the PSC has noted that considerable effort has been made to resolve non-compliant situations in the organizations, significant shortcomings remain.

Although the PSC has noted that considerable effort has been made to resolve non-compliant situations in the organizations, significant shortcomings remain.

Table 13 - Non-compliant situations

Non-compliant situations reported in 2003-2004	Situations resolved in 2004-2005	Balance in March 2005	New non-compliant situations reported in 2004-2005
621 (611+10)[28] 10 cases added in 2003-2004	379 (61%)	242	650
Total non-compliant situations in 2004-2005		892	

Of the 621 non-compliant situations identified through data collection in 2003-2004 and reported in the PSC's 2004-2005 Annual Report, 379 (61%) were resolved in 2004-2005, leaving 242 non-compliant situations at the end of March 2005.

- Data collection in 2004-2005 identified 650 new non-compliant situations.
- Adding the unresolved non-compliant situations from the 2004 data collection exercise to the new situations identified in 2005 brings the total to 892.

---

[28] At the time of data collection in 2004-2005, organizations identified 10 non-compliant cases that should have been reported in 2003-2004.

However, we have noted that implementation of the PSC's oversight plan has encouraged organizations to follow up on non-imperative appointments. In fact, the departmental visits we conducted in March and April 2006 and the 2005-2006 data that we asked the departments to provide indicate that organizations are working toward more active monitoring of their obligations under the Order.

The PSC believes that the number of non-compliant cases will remain an issue for the next year until all organizations have the required mechanisms in place, and especially until employees have access to language training.

Through our contact with the organizations, we have been able to identify some of the issues they are facing. For the most part, these issues pose a significant challenge in the resolution of non-compliant situations:

- The use of non-imperative staffing and the related obligations under the Order are not sufficiently understood.
- Although most organizations have greatly improved their monitoring mechanisms, some are having trouble providing reliable data because their systems are not yet fully functional.
- Limited access to language training has a direct impact on the number of cases that exceed the two-year period allowed by the Order, and represents a significant challenge for the organizations.

The PSC believes that the number of non-compliant cases will remain an issue for the next year until all organizations have the required mechanisms in place, and especially until employees have access to language training.

6.4 Representativeness

The new PSEA provides the tools that enable federal organizations to create and maintain a representative workforce that is reflective of the Canadian labour market. The new definition of merit allows federal organizations to identify employment equity goals as merit criteria.

The PSC protects merit, non-partisanship, fairness, access and transparency, thereby contributing to a workforce that is representative of Canada's diversity, embodies the linguistic duality of our country, and is able to serve the public in their official language of choice. The new PSEA provides the tools that enable federal organizations to create and maintain a representative workforce that is reflective of the Canadian labour market. The new definition of merit allows federal organizations to identify employment equity goals as merit criteria. The flexibilities of the new Act also enable organizations to limit areas of selection to members of employment equity groups.

To support representativeness in the public service, the PSC holds deputy heads accountable for accommodating the needs of persons participating in an appointment process and for ensuring that disadvantages are addressed. The PSC also monitors whether deputy heads use assessment tools and processes that are designed and implemented without bias and do not create systemic barriers.

In addition, the PSC has implemented and continues to extend the requirement to use a national of area of selection in external appointment processes. In ensuring access for Canadians from across the country to federal government job opportunities, the PSC ensures the public service draws from and reflects the myriad backgrounds, skills, and professions that are a unique resource for Canada.

...the PSC has implemented and continues to extend the requirement to use a national of area of selection in external appointment processes. In ensuring access for Canadians from across the country to federal government job opportunities, the PSC ensures the public service draws from and reflect the myriad backgrounds, skills, and professions that are a unique resource for Canada.

Employment equity (EE)

Under the *Employment Equity Act*, the PSC is responsible for identifying and eliminating barriers in recruitment and staffing and for instituting "positive policies and practices" to actively promote a more representative public service. The PSC does this by reviewing its existing policies, instituting new policies and promoting noteworthy practices, guides and tools to assist departments in achieving their EE objectives.

Overall the composition of the public service reflects the workforce availability for three of the four EE groups (women, persons with disabilities and Aboriginal peoples). However, it is below the workforce availability for visible minorities (table 14).

- This table is based on data available to March 2005, which reflects the latest public information available from the Public Service Human Resources Management Agency of Canada. More up-to-date statistical information would enhance our ability to track and analyze trends in recruitment and staffing activity and report vis-à-vis the EE groups.

Overall the composition of the public service reflects the workforce availability for three of the four EE groups (women, persons with disabilities and Aboriginal peoples). However, it is below the workforce availability for visible minorities.

Table 14 - Representation of designated groups in the federal public service[29]

Employment equity group	Workplace availability	Representation March 31, 2005	Representation gap
Women	52.2%	53.5%	+1.3%
Aboriginal peoples	2.5%	4.2%	+1.7%
Persons with disabilities	3.6%	5.8%	+2.2%
Members of visible minorities	10.4%	8.1%	-2.3%

---

[29] Based on the latest statistical information published by the Public Service Human Resources Management Agency of Canada, the public service representation is compared to the workforce availability derived from the 2001 Census, and the 2001 Participation and Activity Limitation Survey conducted by Statistics Canada.

Despite a steady increase in the number of employees in a visible minority group, their significant under-representation compared to their workforce availability persists. This is particularly important given the anticipated increase in the availability of visible minorities in the Canadian workforce.

With the new PSEA, departments and agencies have an opportunity for real change. They must make EE part of human resources planning if they are to derive maximum benefits from the opportunities offered by the new Act.

- Our collaborative effort with 11 organizations on an open executive-level generic selection process, targeted to members of visible minorities, provides a model in meeting Executive Group EE challenges.
- The Act's flexibilities will also enable Indian and Northern Affairs Canada to meet its commitment of achieving 50% representation of Aboriginal peoples established under the settlement with the Assembly of Manitoba Chiefs.

> *...departments and agencies... must make EE part of human resources planning if they are to derive maximum benefits from the opportunities offered by the new Act.*

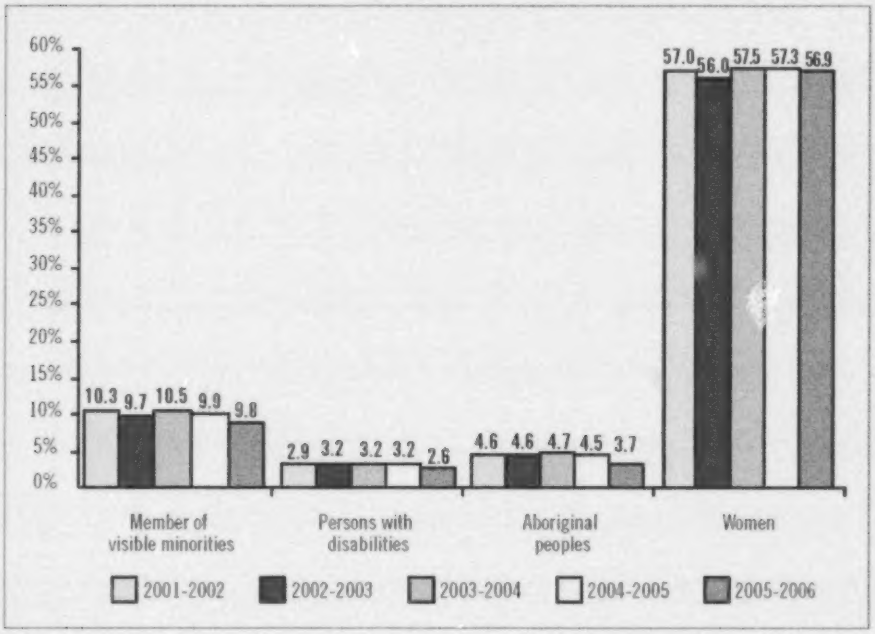
The rate of recruitment of persons with disabilities which, for the past few years, was around 3%, fell to 2.6% in fiscal year 2005-2006. This is below their level of representation in the public service workforce, which has been increasing to the current level of 5.8% (as of March 31, 2005). This suggests that their increase in representation is mainly due to other factors such as increased self-identification. The PSC will continue to monitor the results achieved by departments and agencies in the external recruitment of persons with disabilities.

To assist departments in integrating EE into the new appointment process, the PSC sponsored a one-day conference and disseminated a guide for integrating EE considerations throughout the appointment process in March 2006. The guide also includes an employment equity lens as a tool for decision making.

With our strengthened oversight role, we will closely monitor how organizations use the PSEA's flexibilities to make progress in achieving a representative public service. As part of the assessment of organizational readiness for implementation of the new Act, we are looking at at the policies that organizations implemented for the coming into force to ensure that they referenced the *Employment Equity Act* provisions, including the duty to accommodate. In future cycles of monitoring, we will assess the results achieved.

Figure 13 below shows the five-year trend for appointments to the public service.

Figure 13 - Appointments to the public service by fiscal year and employment equity designated group*



* Please see technical notes, table 27 (page 136).

In fiscal year 2005-2006, there was a slight decline in percentage of appointments for all four EE groups over the previous four years. This decline is of particular concern with regard to appointments of visible minorities since the accelerated rate of recruitment required to narrow the gap in their representation was not achieved.

The table below shows the entry appointments of visible minorities into the Executive (EX) Group by fiscal year in proportion to their representation in the public service at the end of the same period. The representation data are based on statistical information from the Public Service Human Resources Management Agency of Canada.

Table 15 - Entry appointments into the EX group

Fiscal year	Executives in the public service			Entry appointments of visible minorities	
	Total	Visible minorities		#	% Total appointments
		#	%		
2000-2001	3 522	118	3.4	24	6.3%
2001-2002	3 901	148	3.8	28	5.7%
2002-2003	4 209	177	4.2	32	6.6%
2003-2004	4 322	208	4.8	33	8.0%
2004-2005	4305	221	5.1	27	8.3%
2005-2006	Not published[30]	Not published		30	7.7%

We…remain concerned about the persistent gap in the representation of visible minorities in the executive cadre.

Changing the corporate culture in the public service so that it is hospitable to diversity requires a critical mass of designated group members to effect and sustain cultural change. This is particularly true at the EX level, where those in a leadership role can exert influence. We have been monitoring this issue and remain concerned about the persistent gap in the representation of visible minorities in the executive cadre.

As a result of our ongoing efforts to challenge the EX staffing requests of organizations that did not submit their EX staffing plans, we collaborated with 11 departments on an open generic EX-level selection process targeted to members of visible minorities.

As of the end of February 2006, we successfully established a pool of 41 pre-qualified visible minority executives at the EX-01 level. Hiring managers from departments and agencies can directly appoint candidates from the pool. Eighteen EX appointments have been made from this pool, since February 2006; 13 candidates were being actively considered by various departments as of August 1, 2006.

---

[30] Representation data are provided by the Public Service Human Resources Management Agency of Canada in its Annual Report to Parliament on employment equity in the federal public service, covering the previous fiscal year. Consequently, the representation data for fiscal year 2005-2006 will be included in the Public Service Human Resources Management Agency of Canada's report for that year.

The 11 organizations collaborating with the PSC on this open generic EX-level selection process targeted to members of visible minorities were:

- Agriculture and Agri-Food Canada
- Canada Border Services Agency
- Correctional Service Canada
- Department of National Defence
- Environment Canada
- Fisheries and Oceans Canada
- Foreign Affairs and International Trade Canada
- Human Resources and Social Development Canada/ Service Canada Initiative
- Privy Council Office
- Public Safety and Emergency Preparedness Canada
- Transport Canada

Drop-off study

The PSC has conducted studies into the sources and causes of the differences between the application and appointment rates (referred to as drop-off) of employment equity group members in external recruitment processes. We have reported the results of these studies in previous annual reports (2001-2002 and 2002-2003). We remain particularly concerned about the drop-off with respect to visible minorities.

We remain particularly concerned about the drop-off with respect to visible minorities.

A study using aggregate application data in comparison with appointment data, as well as Workforce Availability (WFA), was initiated to determine any patterns of drop-off of EE groups over a five-year period (2000-2005) in external recruitment processes. Preliminary results confirm that the drop-off rate for members of visible minorities is higher than for the other EE groups.

More analysis is required to understand what may have accounted for the drop-off. We plan to share the results of the analysis with departments and agencies, EE groups and stakeholders so that collective action can be taken.

6.5 National area of selection

In conjunction with the tabling of last year's Annual Report, the PSC reaffirmed its commitment to broadening Canadians' access to employment opportunities in the federal public service.

The PSEA authorizes the PSC to establish geographic areas of selection that applicants must meet in order to be eligible for appointment to the federal public service. In recent years, the use of a geographic criterion for federal employment opportunities has led to growing concerns on the part of Canadians and parliamentarians about access to public service job opportunities that are open to the public. During the adoption of Bill C-25, the *Public Service Modernization Act*, the PSC's discretion to establish geographic areas of selection was the subject of extensive debate, and Parliament reaffirmed the PSC's authority on this matter. Still, a number of parliamentarians continued to favour the elimination of geographic limits in public service recruitment activities.

... the PSC is exercising its policy and delegation powers to move towards implementing a national area of selection for all positions open to the public.

In response to these concerns, the PSC is exercising its policy and delegation powers to move towards implementing a national area of selection for all positions advertised to the public. We have emphasized an approach whereby the use of a national area of selection would be phased in as modern electronic recruitment tools become available to ensure departments and agencies can manage the large volumes of applications expected as a result.

Since 2001, a national area of selection has been required for executive and senior officer-level jobs that were open to the public. Middle and junior officer-level jobs requiring specialized skills were already using a national area of selection when open to the public.

In October 2005 the PSC announced a phased-in, measured approach to extending the use of national area of selection. Over the coming year we will monitor the progress of this initiative and will evaluate and plan for increasing access across regions as well as to other types of jobs that are open to the public.

The PSC has delivered on the milestones set out in its phased-in approach. Building on this momentum, the PSC continues to extend the use of a national area of selection through policy instruments that are binding on departments and agencies. Subject to further study of potential impacts, the goal is to extend the use of national area of selection for all positions open to the public within two years.

During fiscal year 2005-2006, 29.7% of jobs in the National Capital Region open to the public have used a national area of selection, representing a modest increase compared to 28% in 2004-2005. Of the jobs staffed in the National Capital Region using a national area of selection, 58.4% are executive and senior management positions and 22.7% are officer level positions.

Effective April 1, 2006, the use of a national area of selection was extended to all officer-level job postings open to the public in the National Capital Region in federal organizations where appointments are made in accordance with the PSEA. In 2005-2006, officer-level jobs in the National Capital Region accounted for about 17.3% of jobs open to the public.

Expanding this requirement is expected to increase significantly the use of a national area of selection for external recruitment. It is expected that about 90% of jobs open to the public in the National Capital Region will use a national area of selection. This requirement should also increase the overall use of a national area of selection for jobs open to the public across Canada from 19.3% to 35%.

Over the summer of 2006, the PSC expanded the use of national area of selection in selected organizations in Alberta and Quebec on a pilot basis. The goal is to establish a national area of selection for all officer-level jobs open to the public across Canada by April 2007 and for all remaining positions by December 2007.

To support the use of national area of selection, the PSC introduced the Public Service Resourcing System (PSRS), a Web-based recruitment and screening tool, to its regional offices across Canada in the fall of 2005.

Extending the use of a national area of selection is not without its challenges. Managers and human resources advisors have expressed concerns with the cost and time implications associated with running such appointment processes. To support the use of national area of selection, the PSC introduced the Public Service Resourcing System (PSRS), a Web-based recruitment and screening tool, to its regional offices across Canada in the fall of 2005. This electronic tool offers hiring managers unprecedented capabilities to obtain more detailed information from applicants to facilitate electronic screening, and modernizes the process for Canadians applying for job opportunities by providing information on-line on their status in the screening process.

- PSRS is expected to help organizations manage the larger volumes of applications anticipated as a result of the expanded use of national area of selection. Direct access to PSRS without going through the PSC will allow even greater efficiencies, and the PSC plans to pilot direct access with the Department of National Defence as an early adopter. A deployment strategy is in place for future expansion of the direct access model to other organizations.

6.6 Specialized recruitment programs

Overall, the use of specialized recruitment programs continues to increase as organizations and functional communities see the advantages of using these government-wide programs to renew their workforces.

The PSC administers five specialized recruitment programs. Targeting both students and recent post-secondary graduates, these programs offer efficient, collective recruitment strategies to staff many career choices in the public service. Overall, the use of specialized recruitment programs continues to increase as organizations and functional communities see the advantages of using these government-wide programs to renew their workforces.

Recruitment of post-secondary graduates – Two distinct programs are available for the recruitment of post-secondary graduates, for hiring into term or permanent positions:

(1) **Post-Secondary Recruitment Program (PSR)** – The PSC created this program in 1973 to help organizations fill entry-level officer positions that require candidates with a university degree. Entry level can vary from one department to another.

In addition to using the PSR general inventory, (approximately 9,435 graduates),[31] organizations who participate in PSR campaigns can take a targeted approach, by advertising their specific job opportunities or "career choices". This approach maintains the organization's visibility with applicants, yet provides the benefits of participating in a collective campaign.

PSR has been used in the past by some functional communities. For example, the Financial Officer/Internal Auditor Recruitment and Development Program (FORD/IARD) is a longstanding user of PSR. In 2005-2006, the PSC worked with the human resources functional community (PE group) to develop a collective recruitment campaign, as described at section 2.3.

In 2005-2006, the PSC held three PSR campaigns, in the spring and fall of 2005 and again in the winter of 2006, that advertised a total of 30 career choices in 15 organizations (see table 16). A total of 35 227 applications were received from 16 211 university graduates.

---

[31] The number of graduates varies as graduates apply and withdraw on an ongoing basis. To remain in the inventory, graduates must renew their interest every 60 days.

Table 16 - Career choices

	Applications	Applicants	Referrals		Appointments	
Fiscal year	#	#	#	% of total applications	#	% of referrals
April 1, 2004 to March 31, 2005	11 419	7 224	7 072	61.9%	469	6.6%
April 1, 2005 to March 31, 2006	35 227	16 211	8 777	24.9%	550	6.3%

Given the high number of applications, the PSC administers tests and other assessment methods to ensure that organizations are referred only those applicants who meet the requirements of the work. Of the 30 career choices in 2005-2006, 21 used tests to determine which applicants would be referred to the department or agency for further assessment. Of the 8 777 applicants referred, the PSC tested 4 427. A referral by the PSC means that an applicant has been screened against basic criteria for the work (e.g., education, area of selection) and referred to the organization for further consideration and assessment, through such means as interviews, to determine whether or not an offer of employment should be made.

The 8 777 candidates referred to organizations represented 24.9% of applications received. It should be noted that the same applicant can be referred for multiple employment opportunities. As of March 31, 2006 these referrals had resulted in 550 appointments, of which 293 were for permanent jobs and 257 were for term positions. Appointments from the winter campaign of 2006 will continue to be made during fiscal year 2006-2007 and will be reported in next year's Annual Report.

In 2004-2005, the PSC held two PSR campaigns that advertised a total of 14 career choices in nine organizations. A total of 11 419 applications were received from 7 224 graduates. Of these, the PSC referred 7 072 candidates to organizations, which represented 61.9% of applications received. These referrals resulted in 469 appointments in 2004-2005.[32]

Most of the increase in the number of applications in 2005-2006 when compared to 2004-2005 can be explained by the addition of another campaign and the participation of the departments of Foreign Affairs and International Trade, the Canada Border Services Agency, Citizenship and Immigration Canada, and the human resources functional community, whose career choices generated a high volume of applications.

---

[32] This number differs from the number reported in the PSC Annual Report for 2004-2005, as additional appointments were made after tabling.

The PSC's ongoing efforts to encourage organizations to use PSR to attract post-secondary graduates is reflected in the increased number of career choices in 2005-2006. In 2006-2007, the PSC will continue to expand the scope of the PSR program...

The PSC's ongoing efforts to encourage organizations to use PSR to attract post-secondary graduates is reflected in the increased number of career choices in 2005-2006. In 2006-2007, the PSC will continue to expand the scope of the PSR program and its support tools to help organizations attract post-secondary graduates (e.g., the inclusion of college-level graduates and the creation of more inventories for specific career fields). It is anticipated that once all appointments are made from the winter campaign of 2006, the proportion of referrals appointed will surpass 2004-2005; for example, 159 applicants for the collective HR community campaign were found qualified and are still proceeding through the process at the time of publication. However, for even greater benefits to be realized, organizations and hiring managers will need to explore how PSR can address their short and long-term human resources needs and renew their workforces.

(2) **Recruitment of Policy Leaders Program (RPL)** – Created in January 2005, RPL seeks out exceptional Canadians, both recent graduates and those soon to graduate in Canada or abroad, with a view to enhancing the public service's capacity for policy analysis and development. Due to the extraordinary calibre of recruits it has attracted to date, this new program has generated significant interest from federal organizations.

The first two RPL campaigns were held in winter 2005 (903 applications) and in fall 2005 (1 181 applications). From the winter campaign, 43 candidates were found qualified, and by March 31, 2006, 32 candidates from this group had been offered employment in the federal public service, of whom 14 had been appointed as of March 2006. This impressive group of recruits includes 13 PhDs, five Rhodes scholars and eight Fulbright scholars. Also of note, employment equity representation is strong, with 12% of recruits self-identifying as members of visible minority groups, 5% identifying as persons with disabilities and 2.3% identifying as Aboriginal peoples. The process from the fall campaign of 2005 is still in progress.

This impressive group of recruits includes 13 PhDs, five Rhodes scholars and eight Fulbright scholars. Also to note, employment equity representation is strong...

Recruitment of students for temporary employment – Three programs are available to recruit students for temporary employment in order to develop a pool of qualified candidates for future public service appointments:

(1) **Federal Student Work Experience Program (FSWEP)** – Since 1996, this program has enabled hiring managers to find students by educational background and skill sets that best suit the specific requirements of the student employment opportunities.

The number of applications continues to be high. FSWEP received 76 000 applications from students in 2005-2006 and 76 094 in 2004-2005. In 2005-2006, 8 581 students were hired under FSWEP, compared to 6 556 in 2004-2005. It should be noted, however, that the number of FSWEP hires for 2005-2006 includes the 881 students hired by the newly created Canada Border Services Agency, while the 2004-2005 figure does not.

(2) **Research Affiliate Program (RAP)** – RAP became a seperate student employment program in January 2005. Prior to that, it operated within the Federal Student Work Experience Program. RAP connects government research facilities with post-secondary students whose academic backgrounds and skill sets are well suited for applied scientific research. Student assignments are advertised on the PSC's job opportunities Web site (**jobs.gc.ca**), which allows students from across Canada to apply directly for these opportunities to obtain the research knowledge and skills required for graduation from their respective academic program.

In 2005-2006, 168 students applied for 67 placement opportunities, resulting in 53 hires.

In 2005-2006, 168 students applied for 67 placement opportunities, resulting in 53 hires. It should be noted that the difference between the number of opportunities and the number of hires in 2005-2006 reflects the fact that advertisements for job opportunities sometimes result in appointment only in the following year.

The PSC, in partnership with the Public Service Human Resources Management Agency of Canada, is currently working to finalize the RAP framework in order to move the program out of pilot status. Implementation is expected to occur next fiscal year.

In 2005-2006, there was an 8.9% increase in the number of Co-op students hired…

(3) **Co-operative Education and Internship Program (Co-op)** – Created in 1990, this program provides hiring managers with a valuable mechanism for hiring students of co-operative programs of post-secondary institutions. Hiring under this program is delegated to departments. The PSC is responsible for approving co-operative and internship programs, and, accordingly, has established approval criteria against which these programs are assessed. These criteria seek to ensure that programs approved by the PSC are those which formally integrate, in a structured manner, academic learning with development, through work experience.

In 2005-2006, there was an 8.9% increase in the number of Co-op students hired, growing to 3 434 students compared to 3 153 in 2004-2005.

To help departments and agencies benefit from the efforts and investments made in hiring students, and to enable managers to meet future human resources needs, "student bridging" was introduced in August 1998 through amendments to the Treasury Board's Student Employment Policy and to the PSC 's Regulations Respecting the Hiring of Persons within Student Employment Programs. Student bridging allows managers to appoint post-secondary graduates to indeterminate or temporary positions in the public service, if they are qualified and have worked for the federal public service through FSWEP, Co-op, or RAP.

In 2005-2006, it is estimated that 275 students were bridged into indeterminate or term positions, of whom 186 were former FSWEP students and 89 were former Co-op students. This represents a 23.3% increase over 2004-2005.

- Although data on student bridging is not collected by the PSC, estimates of activity are derived from pay files and PSC priority administration data. In 2005-2006, it is estimated that 275 students were bridged into indeterminate or term positions, of whom 186 were former FSWEP students and 89 were former Co-op students. This represents a 23.3% increase over 2004-2005. That year, an estimated 223 students were bridged into public service positions (125 were from FSWEP and 98 were from Co-op).

6.7 Executive resourcing

Delegation of EX resourcing – With the implementation of the new PSEA, the PSC has, for the first time, delegated virtually all Executive Group appointments (which includes EX levels 01 through 05) to deputy heads. However, the PSC has retained the authority to appoint ministerial staff priorities to the Executive Group, as mentioned in section 6.2, as well as the authority to appoint members of the Governor General's exempt staff in priority to others to the Executive Group (More details on authorities delegated to deputy heads are provided in section 3.2, Managing delegations).

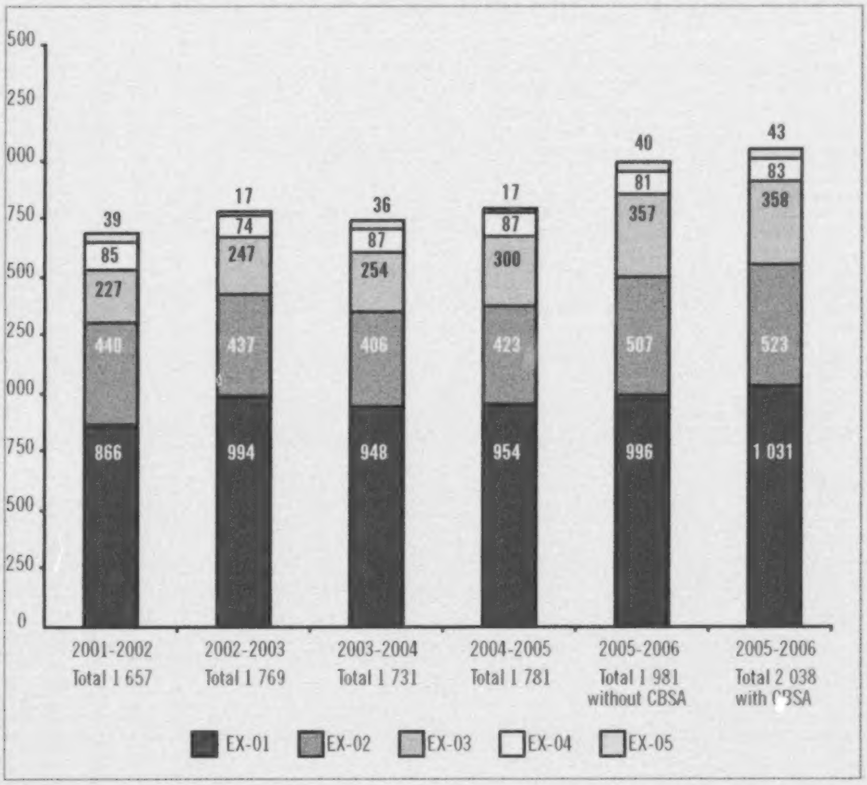
With the implementation of the new PSEA, the PSC has, for the first time, delegated virtually all Executive Group appointments (which includes EX levels 01 through 05) to deputy heads.

This is a change from how executive appointments were made under the old PSEA, when the PSC retained responsibility for making appointments into and promotions within the Group. Under the former PSEA, the PSC had delegated authority for certain types of activities such as acting appointments, lateral appointments and deployments at the same level. In addition, in 2001 the PSC initiated the Strategic Executive Staffing approach by delegating to some deputy heads the authority to make certain appointments during a limited time period in accordance with pre-approved plans.

EX appointments – In 2005-2006, there was a total of 2 038 appointments (including new appointments, promotions and acting appointments) in the executive cadre which the PSC oversees. This was a 14.4% increase over the 1 781 appointments made in 2004-2005, if the Canada Border Services Agency (CBSA) is included. Figure 14 below (showing 2005-2006 figures with and without the CBSA), shows that executive-level appointments increased in 2005-2006 at all EX levels except EX-04, which experienced a modest decline of 4.6% from 87 to 83.

- As with the overall population figures, to see trends more clearly, it is necessary to separate out totals for CBSA, which added 67 executives to the PSEA population as of March 2005.
- Without the CBSA, the increase in appointments was a more modest 11.2%, from 1 781 to 1 981. Again, the EX-04 level saw a decrease in appointments of 6.9% from 87 to 81.

Figure 14 - EX staffing activities by fiscal year and level



Although there has been an increase in the number of appointments, this does not appear to be as a result of growth in the EX cadre. As seen in the table below, the EX cadre for which the PSC oversees appointments, including all levels, remained stable between 2004-2005 (3 799) and 2005-2006 (3 796). With the additional 67 executives of the CBSA, the cadre increased to 3 910, an increase of 2.9%.

Table 17 - EX category by level

	March 31, 2002	March 31, 2003	March 31, 2004	March 31, 2005	March 31, 2006(a)	March 31, 2006(b)
EX-01	1 769	1 901	1 972	1 977	1 921	1 999
EX-02	882	939	947	892	901	920
EX-03	578	655	674	682	723	733
EX-04	170	184	173	177	172	177
EX-05	88	77	77	71	79	81
Total	**3 487**	**3 756**	**3 843**	**3 799**	**3 796**	**3 910**

(a) Without the Canada Border Services Agency.
(b) With the Canada Border Services Agency.

- By percentage, the largest growth in appointments was at the EX-05 level (135.3% increase from 17 to 40 appointments). However, the number of these positions only grew from 71 to 79 (without the CBSA), a far more modest increase of 11.3%. Moreover, there were only 15 departures from that level. This suggests that the higher rate of appointments is related to persons changing jobs within the level.
- The next largest increase in appointments was 19.9% at the EX-02 level (from 423 to 507, not including the CBSA). However, the population at that level only grew by 1.0% from 892 to 901.
- As shown in the table below, promotions increased by 41.2% to 658 appointments. Increases were evident at all levels. Acting appointments increased by 8.9%. These appear to be important trends within the executive category related to the increase in overall appointments.

Table 18 - Promotions and acting appointments by percentage

Activity	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	% increase excluding CBSA	2005-2006	% increase
Promotions	717	713	600	466	658	41.2	677	45.3
Acting appointments	444	530	572	673	733	8.9	752	11.7
Total	**1 657**	**1 769**	**1 731**	**1 781**	**1 981**	**11.2**	**2 038**	**14.4**

Bilingual imperative staffing of executives – Executive positions staffed on a bilingual imperative basis (those requiring candidates to meet the language requirements of the position at the time they accept the job offer) continue to increase across all EX levels. This increase coincides with the introduction of the April 2004 Treasury Board Directive on the Staffing of Bilingual Positions, which directed that imperative staffing be used in most situations unless otherwise stated in the Directive.[33] Initially applicable only to EX-04 and EX-05 level executives, the Directive extended to EX-03 positions on April 1, 2005 with EX-02 positions to follow on April 1, 2007. The obligation to staff imperatively does not apply to positions that are open to the public and that may be staffed either imperatively or non-imperatively. In the case of non-imperative staffing, persons who do not meet the linguistic requirements of their position at the time of appointment are obligated to become bilingual and are eligible for language training to become proficient in the use of their second official language.

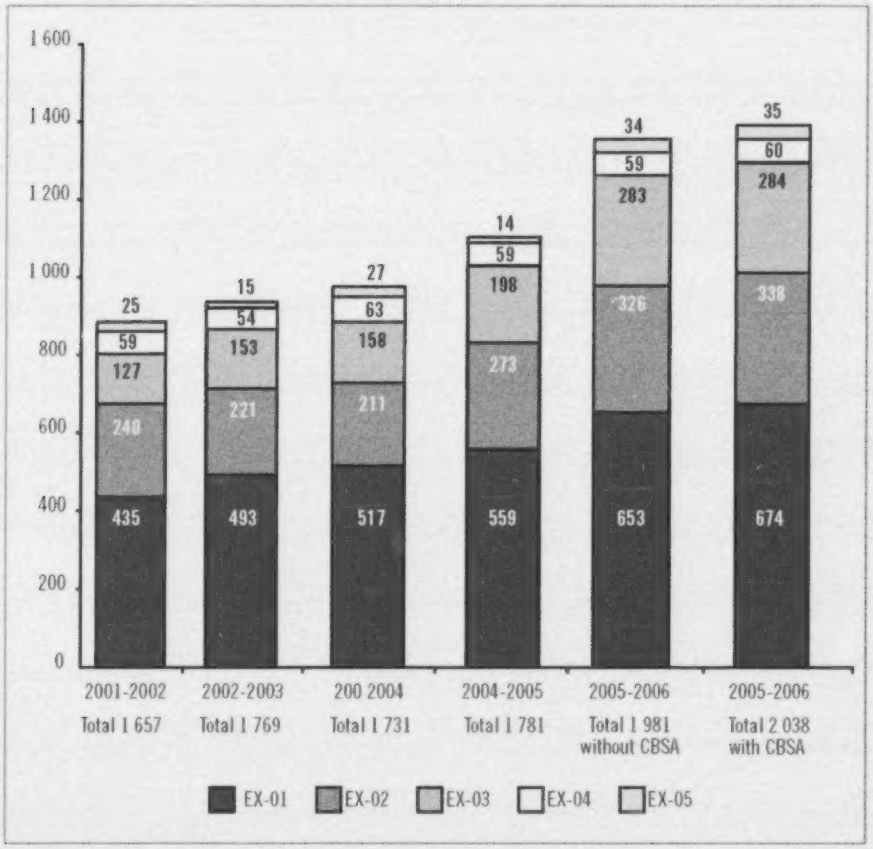
Executive positions staffed on a bilingual imperative basis… continue to increase across all EX levels.

- Including the CBSA, Figure 15 below illustrates that EX-01 through EX-05 bilingual imperative appointments have increased from 61.9% of all appointments in 2004-2005 (1 103 bilingual imperative appointments out of a total of 1 781 appointments) to 68.3% in 2005-2006 (1 391 bilingual imperative appointments out of a total of 2 038 appointments overall).
- Not including the CBSA, the proportion of appointments made on a bilingual imperative basis was 68.4% (1 355 out of a total of 1 981 appointments).

---

[33] The Directive can be found on the Treasury Board Secretariat Web site at the following address http://publiservice.tbs-sct.gc.ca/pubs_pol/hrpubs/OffLang/dsbp-ddpb_e.asp

Figure 15 - Bilingual imperative EX appointments by level and total EX appointments



- As Figure 15 above shows, the largest increase in bilingual imperative staffing of executive-level positions occurred between fiscal years 2004-2005 and 2005-2006. Without the Canada Border Services Agency, the proportion of positions staffed on a bilingual imperative basis increased 10.5% (from 61.9% to 68.4% of all appointments). This remains comparable to the increase noted from 2003-2004 to 2004-2005 (a 9.8% increase from 56.4% of all positions to 61.9% of all positions). With the CBSA, the increase was 10.3%.

- In 2005-2006, the proportion of EX-03 positions staffed on an imperative basis increased from 66% (198 of 300 appointments) to 79.3% (283 of 357 appointments, not including the CBSA, and 284 of 358 appointments, including the Agency). This coincided with the extension of Treasury Board's Directive to EX-03 positions.

EX resourcing services – In 2005-2006, the PSC's Executive Resourcing Directorate provided a range of services in the recruitment, assessment and selection of executives at the EX-01 to EX-03 levels. This included recruitment advice for targeted and collective resourcing processes for identified employment equity designated groups, or for functional communities to staff similar positions with common responsibilities in fields such as information technology and finance. With the delegation of EX appointments to deputy heads under the new Act, the PSC will continue to offer these executive resourcing services to organizations that choose to come to the PSC.

With the delegation of EX appointments to deputy heads under the new Act, the PSC will continue to offer these executive resourcing services to organizations that choose to come to the PSC.

The following provides information on the resourcing activities of the PSC's Executive Resourcing Directorate, for EX-01 to EX-03 processes under the old PSEA. These service-related figures are limited to the PSC's Executive Resourcing Integrated Staffing System and Case Log and therefore do not correspond with the data provided earlier in this section on all appointment activity to and within the executive category.

The number of processes the PSC serviced for appointment into and promotions within the EX-01 to EX-03 levels increased significantly in 2005-2006. There were 606 executive processes, representing an increase of 32.3% over 2004-2005. The distribution of processes across the three levels is consistent with past years. Executive retirements and restructuring within organizations have contributed to organizations turning more frequently to the PSC for assistance with their EX-01 to EX-03 staffing.

Table 19 - EX-01 to EX-03 selection processes

	Internal advertised processes			External advertised processes			Non -advertised processes		
	EX-01	EX-02	EX-03	EX-01	EX-02	EX-03	EX-01	EX-02	EX-03
2001-2002	317	153	70	8	13	8	130	60	34
2002-2003	236	114	55	19	11	6	149	38	33
2003-2004	282	93	66	26	11	13	74	19	15
2004-2005	248	169	78	17	22	8	42	10	10
2005-2006	323	116	84	23	30	12	41	7	8

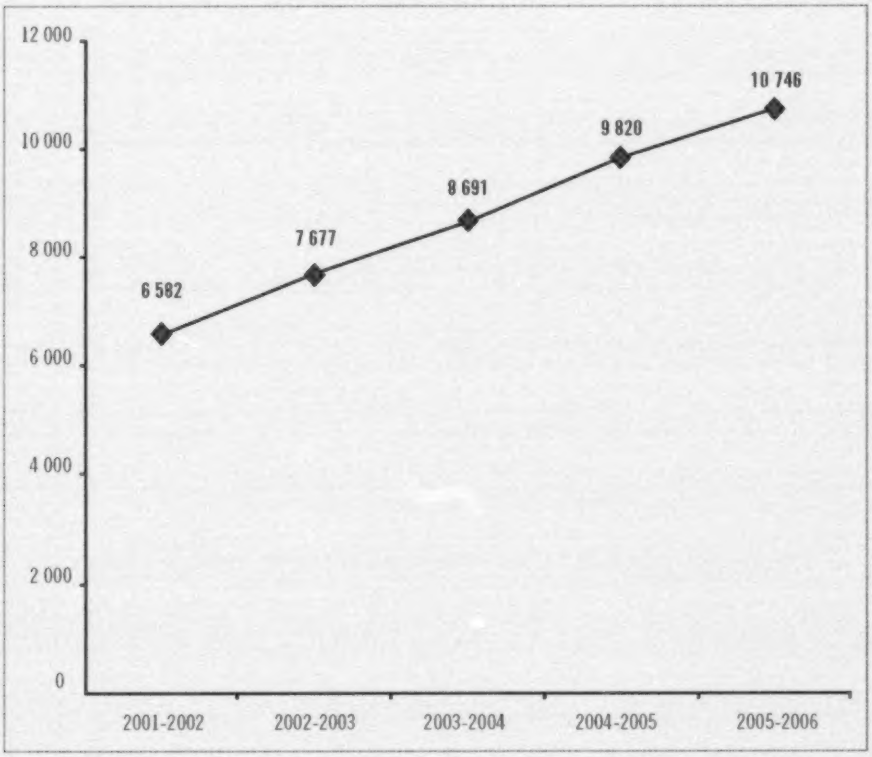
EX selection processes – The Canadian public can apply to external selection processes. As illustrated above in table 19, in 2005-2006 the PSC serviced 65 publicly advertised PSEA executive-level processes at the EX-01 through EX-03 levels, which represents a 38.3% increase over 2004-2005 (47) and more than doubles the number of comparable processes in 2001-2002 (29).

- Internally advertised executive-level selection processes (advertised within the public service, representing the majority of processes), rose 5.6% over 2004-2005.

Executive appointment processes that were not advertised decreased by 10.7% from 2004-2005. This included both internal and external processes as well as appointments without competition under the former PSEA. Non-advertised processes are used, for example, for reclassifications and in situations where the circumstances support the consideration of only one person, such as the requirement to staff a highly specialized position where it is known that the labour market availability is extremely low. As table 19 above shows, this reduction follows an ongoing downward trend from 224 in 2001-2001 to 56 in 2005-2006.

EX application volumes – The number of applications for executive-level selection processes (PSEA advertised both inside and publicly) increased 9.4% over 2004-2005. As seen in figure 16, executive-level application volumes have grown steadily, increasing 63.2% over the past five fiscal years.

Figure 16 - EX-01 to EX-03 application volumes by fiscal year[34]



Collective staffing initiatives for executive-level positions – During the reporting year, demand continued to grow for collective staffing initiatives for executive-level positions. Using one process rather than several individual processes to fill similar positions within or between organizations adds efficiency and enhances the consistency of the assessment and selection process for executive-level positions.

...demand continued to grow for collective staffing initiatives... Using one process rather than several individual processes to fill similar positions within or between organizations adds efficiency and enhances the consistency of the assessment and selection process for executive-level positions.

- For example, in April 2005, Foreign Affairs (FAC) and International Trade Canada (ITCan) worked together on an executive-level promotion exercise. (These two departments were consolidated on February 6, 2006). Employees at the EX-minus-1 level from both organizations were invited to apply. Of the 377 candidates who applied, 131 proceeded to the next phase; 39 were found qualified and recommended for placement on eligibility lists. This included 16 candidates qualifying for FAC, 14 candidates qualifying for ITCan and nine candidates who met both organizations' requirements.

---

[34] PSC Executive Resourcing Integrated Staffing System and Case Log.

Collective staffing initiatives are also an effective means by which to address issues related to employment equity representation in the Executive Group. An example of such an initiative is described in section 6.4, "Representativeness".

6.8 Assessment services

Through its Staffing and Assessment Services Branch, the PSC offers a broad range of assessment products and services to organizations throughout the public service. These are offered primarily through the Personnel Psychology Centre (PPC), a centre of expertise in assessment for selection and development purposes.

In 2005-2006, there was a growing interest in PPC products and services... there was a heavy demand for instruments to evaluate individuals for supervisory and administrative support positions.

Assessment volumes – In 2005-2006, there was a growing interest in PPC products and services, demonstrated by an increase in the number of assessment-related inquiries received electronically and by telephone. Internet and telephone inquiries rose by 14.2% during the fiscal year, from 4 056 in 2004-2005 to 4 632 in 2005-2006. In particular, there was a heavy demand for instruments to evaluate individuals for supervisory and administrative support positions.

Personnel Psychology Centre tests and the recruitment of human resources officers

Personnel Psychology Centre tests were key tools in the PSC's Recruitment Initiative for human resources officers in the 2005-2006 fiscal year. After screening a large number of candidates with a range of different tests, approximately 300 candidates underwent the Personnel Psychology Centre's Human Resources Simulation in order to qualify for entry-level positions as human resources officers.

The PPC's tests were used for a total of 162 200 assessments. This volume represents a 44.4% increase over 2004-2005, as can be seen in table 20.

Table 20 - Assessment volumes

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	% Change (last two years)
All tests combined	142 901	153 060	129 042	112 318	162 200	44.4
EX assessment volumes (SELEX)	470	555	412	309	485	56.9
EX assessment volumes (reference checks)	543	1 286	1 761	2 103	2 246	6.8

Source: Personnel Psychology Centre

The increase in testing volumes can be attributed to higher volumes of occupational tests, second language evaluation and, in particular, Post-Secondary Recruitment (PSR) testing. In general, there is increased demand for instruments that can be scored quickly, administered in group testing sessions and help manage the volume of applicants. For example, in the PSR campaigns held in 2005-2006, 35 227 applications were received and four different tests were administered: the Graduate Recruitment Test (11 282 tests), the Situational Judgment Test (20 500 tests), the Written Communication Proficiency Test (12 021 tests) and the Written Communication Test (679 tests), for a total of 44 482 tests.

In general, there is increased demand for instruments that can be scored quickly, administered in group testing sessions and help manage the volume of applicants.

Volumes for the Simulation for the Selection of Executives (SELEX), the assessment instrument for entry into the EX category, also rose significantly over the past year. This increase is likely due to lower than usual usage of the simulation in 2004-2005, to a special PSC initiative carried out during the fiscal year to recruit visible minority candidates (see section 6.4), and to higher usage during the few months immediately preceding the coming into force of the new PSEA.

The PSC is responsible for all second language evaluation testing in the public service.

Second language evaluation – The PSC is responsible for all second language evaluation testing in the public service. It fulfils this responsibility by developing, administering and scoring second language evaluation instruments that measure reading, writing and oral interaction skills in a person's second official language. Testing volumes for each type of evaluation can be found in table 21 below.

Table 21 - Second language testing volumes

	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	% Change (last two years)
Reading	20 238	21 572	20 351	20 610	26 319	27.7
Writing	22 452	24 069	22 679	23 347	28 950	24.0
Oral interaction	18 072	21 127	19 739	20 291	22 963	13.0

Source: Personnel Psychology Centre

In 2005-2006, concerns from both candidates and hiring managers persisted regarding the Oral Interaction Test, particularly with regard to the pass rates on the French Oral Interaction Test. As can be seen in table 22 below, for the second consecutive year, pass rates for the French Oral Interaction Test have increased overall (all testing level combined). Of note is the fact that pass rates at the "C" level for all candidates combined were relatively stable, while the pass rate at level "C" for executives fell 1.2 percentage points to 32.0% from 33.2% in 2004-2005.

Table 22 - Pass rates on the Oral Interaction Test

	2003-2004		2004-2005		2005-2006	
	French	English	French	English	French	English
All levels (A,B,C combined)*	45.8%	88.4%	47.0%	84.9%	50.3%	83.1%
Level B only	56.7%	93.0%	57.1%	90.2%	63.7%	88.7%
Level C only	32.7%	79.4%	35.6%	75.3%	35.4%	72.1%
Executives Level C only	27.7%	N/A	33.2%	63.0%	32.0%	68.2%

Source: Personnel Psychology Centre

* Pass rates reflect the number of successful tests at a given level divided by the total number of tests for which that level is required, expressed as a percentage. Levels A, B and C correspond to basic, intermediate and advanced levels of second language proficiency.

...work continued during 2005-2006 to address concerns regarding the Oral Interaction Test.

Building on the previous year's efforts, and on the work of an Assistant Deputy Minister Advisory Group on Language Training and Testing, work continued during 2005-2006 to address concerns regarding the Oral Interaction Test. Broad consultations with stakeholders took place throughout the year, and the PSC continues to work with the Canada School of Public Service, the Public Service Human Resources Management Agency of Canada, the Office of the Commissioner of Official Languages and organizations on this issue.

Development of a new Oral Interaction Test

The PSC is developing a new Oral Interaction Test. When completed in 2007-2008, it will replace the current test, which was implemented in 1984. The new instrument will reflect international best practices and incorporate novel design features such as new stimuli (possibilities include questions, text scenarios, visuals), revised assessor roles and a state-of-the-art approach to scoring. While the current test remains valid and reliable, the new test will address recent concerns about this important assessment process.

The PSC has initiated a process to develop a new Oral Interaction Test.... This development project will span two fiscal years.

The PSC has initiated a process to develop a new Oral Interaction Test. Conceptual research completed in 2004-2005 has led to small-scale pilots of alternative forms of testing and finally to an action plan. This development project will span two fiscal years.

...the PSC has initiated development work to replace the existing second language writing test with an updated version. Completion is expected by the end of 2006-2007.

Additional work on the oral interaction testing process has focused on a new procedure for handling cases involving repeated attempts to pass the Oral Interaction Test. This work resulted in the creation of the Oral Interaction Review Board, a tripartite board comprised of a Personnel Psychology Centre representative, a Canada School of Public Service representative and a representative from the candidate's organization. The Board will review individual cases and make specific recommendations, on a case-by-case basis, such as suggestions for more training and/or alternative forms of testing. Piloting of the Oral Interaction Review Board procedure was initiated in 2005-2006 and additional pilots are planned for the upcoming year.

Finally, the PSC has initiated development work to replace the existing second language writing test with an updated version. Completion is expected by the end of 2006-2007.

In response to significant demand, the PPC devoted considerable effort to updating the assessment processes for several corporate development programs to properly reflect the changes to the public service leadership competencies.

Assessment Initiatives – The PPC undertook a number of assessment projects during the year that were designed to fulfil the assessment needs of the public service in general as well as to address the particular assessment needs of a number of individual organizations.

In 2005-2006, the PSC, in partnership with the Public Service Human Resources Management Agency of Canada, released the Key Leadership Competencies, an updated model of leadership for the public service. In response to significant demand, the PPC devoted considerable effort to updating the assessment processes for several corporate development programs to properly reflect the changes to the public service leadership competencies. Assessment tools and processes for the Accelerated Executive Development Program, the Career Assignment Program and the Management Trainee Program were updated accordingly. Similarly, the

PPC's assessment instrument for entry into the EX category, SELEX, was modernized to reflect the latest leadership model. These changes to SELEX are of particular importance given the new qualification standard for executives, which calls for the evaluation of the Key Leadership Competencies.

Testing accommodation for persons with disabilities continues to be a challenge for organizations because of the range of accommodation requirements, their impact upon assessment instruments and limited expertise available in this field.

Testing accommodation for persons with disabilities continues to be a challenge for organizations because of the range of accommodation requirements, their impact upon assessment instruments and limited expertise available in this field. This challenge is reflected in the substantial number of inquiries the PPC received. The volume of requests for assessment-related accommodations for persons with disabilities climbed to 1 349, making 2005-2006 the fifth consecutive year in which volumes have risen. The demand for expertise and services in this area has led the PPC to invest in additional training, realign resources and standardize procedures related to assessment accommodations for persons with disabilities.

Tailor-made assessment products and services for departments

Organizations continue to approach the PSC for assistance with their unique assessment needs. In 2005-2006, the Personnel Psychology Centre provided a range of individual assessment instruments and products such as simulations, behavioural interviews, competency profiles, and personal suitability assessment to many departments. Products can be developed specifically for a client's needs, for example:

- The Personnel Psychology Centre developed interview guidelines and a bank of interview questions for Department of National Defence managers to help assess candidates for information technology positions.
- The Centre also developed a situational judgment test for the Department of Foreign Affairs to assess candidates for executive positions. In 2005-2006, the new test was used to assess over 300 candidates.

In the regions PPC representatives worked with organizations to assist them with personal suitability assessment, competency profiles and the development of simulations.

Appendices

Appendix 1 – Exclusion Approval Order

Exclusion Approval Order for the appointments of certain employees to certain positions in the Department of Fisheries and Oceans (P.C. 2005-1818, October 25, 2005)

This Exclusion Approval Order was made to regularize the employment situation of 20 employees of the Department of Fisheries and Oceans by appointing them to regular full-time positions for an indeterminate period of time. This Order follows a ruling made by the Federal Court and a decision rendered by an Appeal Board of the Public Service Commission of Canada.

Due to exceptional circumstances that are specific to these cases, the Public Service Commission has decided that it was neither practicable nor in the best interests of the public service to apply certain parts of the *Public Service Employment Act* (PSEA) to these appointments.

The Order facilitates the appointment of these persons on an indeterminate basis by excluding these appointments from the operation of section 10 of the PSEA related to merit, subsection 21(1.1) of the same Act related to appeals, subsections 29(3), 30(1) and (2), and 39(3) and (4) and from any regulations made under paragraph 35(2)(a) of the said Act respecting priority entitlements for appointment.

Appendix 2 – Personal exclusions

From April 1, 2005 to March 31, 2006, in addition to the general exclusions, 17 persons were excluded from the application of the *Public Service Employment Act* when appointed to public service positions for a period specified in the exclusion approval orders, or to hold office "during pleasure" that is, the appointment may be revoked at any time by the Governor in Council.

Order in Council number	Tenure	Name	Title
P.C. 2005-524 2005.04.07	during pleasure effective April 8, 2005	William J.S. Elliott	National Security Advisor to the Prime Minister
P.C. 2005-948 2005.05.17	during pleasure effective May 17, 2005	Laurent Tremblay	Federal Commissioner for Quebec City's 400th Anniversary Celebrations
P.C. 2005-955 2005.05.18	during pleasure effective May 24, 2005	Linda Lizotte-MacPherson	Associate Secretary the Treasury Board
P.C. 2005-958 2005.05.18	during pleasure effective July 4, 2005	William C. McDowell	Associate Deputy Minister of Justice
P.C. 2005-961 2005.05.18	during pleasure effective May 30, 2005	Diane Vincent	Executive Vice-President of the Canadian International Development Agency
P.C. 2005-1324 2005.06.30	during pleasure effective June 30, 2005	Luc Lainé	Aboriginal Affairs Commissioner for Quebec City's 400th Anniversary Celebrations
P.C. 2005-1352 2005.07.22	during pleasure effective July 22, 2005	Gérard La Forest	Special Advisor to the Minister of Justice
P.C. 2005-1475 2005.08.30	during pleasure effective August 30, 2005	Georgina Steinsky-Schwartz	Chairperson of the Expert Panel on Accountability for Gender Equality
P.C. 2005-1477 2005.08.30	during pleasure effective August 30, 2005	Dorienne Rowan-Campbell	Member of the Expert Panel on Accountability for Gender Equality
P.C. 2005-1479 2005.08.30	during pleasure effective August 30, 2005	Louise Langevin	Member of the Expert Panel on Accountability for Gender Equality
P.C. 2005-1612 2005.08.08	during pleasure effective September 8, 2005	Lucie McClung	Senior Associate Deputy Minister of Fisheries and Oceans

Appendix 2 – Personal exclusions

(continued)

Order in Council number	Tenure	Name	Title
P.C. 2005-1933 2005.11.10	during pleasure effective November 14, 2005	Allan Amey	Special Advisor to the Deputy Minister of the Environment, to be styled as President designate of the Canada Emission Reduction Incentives Agency
P.C. 2005-2197 2005.11.25	during pleasure effective November 25, 2005	Bob Rae	Independent Counsellor to the Prime Minister, styled the Chairperson of the Air India Flight 182 Review and Inquiry
P.C. 2005-2281 2005.11.28	during pleasure effective December 12, 2005	Claire Dansereau	Senior Advisor to the President of the Canadian International Development Agency
P.C. 2006-92 2006.02.06	during pleasure effective February 6, 2006	Nicole Jauvin	Associate Clerk of the Privy Council for Senior Personnel
P.C. 2006-95 2006.02.06	during pleasure effective February 6, 2006	Guy McKenzie	Associate Deputy Minister of Transport, to be styled Associate Deputy Minister of Transport, Infrastructure and Communities
P.C. 2006-112 2006.02.22	during pleasure effective March 6, 2006	Alexander Himelfarb	Special Advisor to the Prime Minister

Appendix 3 – Order repealing certain Exclusion Approval Orders (P.C. 2005-2284)

With the coming into force of the new *Public Service Employment Act* (PSEA) on December 31, 2005, 14 exclusion approval orders and six regulations became redundant or no longer necessary in order to achieve the purpose for which they were enacted. Since the new PSEA provides opportunities for making appointments and managing human resources in the public service that were not available under the previous Act, these orders and regulations are no longer needed by organizations governed by the PSEA. Consequently, the PSC repealed the following 14 exclusion approval orders:

- Acting Customs Excise Enforcement Officers Exclusion Approval Order (C.R.C., c.1338);
- Certain Non-Canadian Citizens Exclusion Approval Order (C.R.C., c.1339);
- Certain Term Employees Exclusion Approval Order (C.R.C., c.1340);
- Executive Category Exclusion Approval Order (C.R.C., c.1343);
- Federal Labour Intensive Projects Exclusion of Persons Approval Order (C.R.C., c.1345);
- Department of Veterans Affairs Official Languages Exclusion Approval Order (SOR/80-212);
- Appointment of Women to Coast Guard Officer Cadet Positions Exclusion Approval Order (SOR/89-189);
- Regulatory Enforcement (RE) Group Exclusion Approval Order (SI/91-7);
- Appointment and Deployment to Rotational Positions of Employees of the Department of External Affairs and the Canada Employment and Immigration Commission Exclusion Approval Order (SOR/93-281);
- Appointment of Alternates Exclusion Approval Order (SI/96-29);
- Management Trainee Program Exclusion Approval Order (SOR/96-528);
- Order in Council P.C. 1997-1050 of July 25, 1997 (Appointment or Deployment of Employees Who Occupy Certain Positions in the LA-2B Level and Above in the LA Group (Law) Exclusion Approval Order (SI/97-92);
- Order in Council P.C. 1999-531 of March 25, 1999 (Career Assignment Program) (SOR/99-150); and
- Order in Council P.C. 2002-639 of April 18, 2002 (Pre-qualified Pool Recourse) (SOR/2002-158).

Also, the Governor in Council, on recommendation of the PSC, repealed the following six regulations:

- Federal Labour Intensive Projects Employment Regulations (C.R.C., c. 1344);
- Department of Veterans Affairs Official Languages Appointment Regulations (SOR/80-212);
- The Department of External Affairs and the Canada Employment and Immigration Commission Appointment to Rotational Positions Regulations (SOR/93-281);
- Management Trainee Program Regulations (SOR/96-528);
- The Regulations on the Career Assignment Program (SOR/99-150); and
- The Pre-Qualified Pool Recourse Regulations (SOR/2002-158).

Appendix 4 – New *Public Service Official Languages Exclusion Approval Order* and *Regulations*

The new *Public Service Official Languages Exclusion Approval Order* (PSOLEAO) and the *Public Service Official Languages Appointment Regulations* (PSOLAR), both published in Part II of the *Canada Gazette* on December 14, 2005, are complementary regulatory instruments. The first sets out the conditions under which official languages proficiency may be excluded from the application of merit. The second sets out the provisions applying to persons who are excluded from the application of merit with respect to official languages proficiency.

The provisions of these two instruments reflect the spirit and intent of the new *Public Service Employment Act* (PSEA) in that:

- Canada continues to benefit from a public service whose members are able to serve citizens in their official language of choice;
- the Government of Canada is committed to a public service that embodies linguistic duality; and
- official language proficiency remains an essential qualification in the application of merit.

Consistent with the values set out in the new PSEA, these instruments provide an appropriate balance between ensuring that employees meet the official languages requirements of bilingual positions, while still fostering the access of Canadians proficient in only one official language to bilingual positions in the federal public service.

Under the new PSOLEAO, a person who is proficient in only one official language may be excluded from meeting the language requirement of a public service position designated as bilingual. There are three conditions for this exclusion:

1) The person agrees in writing to undertake the necessary language training to become bilingual within two years of the appointment date. At the same time, the person agrees that if the required level of language proficiency has not been achieved at the end of that period, he or she will accept appointment or deployment, on an indeterminate basis, to another position for which he or she meets the essential qualifications.
2) The person is unable to attain the required level of proficiency through language training because of a long-term or recurring physical, mental or learning impairment.
3) The person will be retiring within the next two years — that is, is eligible for an immediate annuity pursuant to the *Public Service Superannuation Act* — and submits an irrevocable resignation to that effect.

In sum, the provisions of the new Order reduce the number of circumstances in which a person is excluded from meeting language requirements. They also limit distinctions between language proficiency and other qualifications in the operation of merit, without denying access to public service positions to Canadians who speak only French or English.

The new PSOLAR also contains provisions on the following subjects:

1. A deputy head must ensure that a person who agrees to become bilingual within two years of appointment receives the necessary language training, at public expense, during that period. The deputy head must also appoint or deploy the person to another position for which he or she meets the essential qualifications if the person fails to fulfil the language requirement during that specified time frame.
2. An agreement may be extended for one or more additional periods not exceeding two years in the following circumstances:
    - i. exceptional operational requirements arise that were not foreseeable at the time of the appointment;
    - ii. exceptional personal circumstances arise that were not foreseeable at the time of the appointment;
    - iii. a physical, mental or learning impairment hinders the learning of the other official language at the required level of proficiency; or
    - iv. it is not possible to obtain language training at public expense.
3. The exclusion period related to an employee's appointment is transferred to any new, subsequent appointment within the initial time frame, given that the new position requires the same or a lower level of second language proficiency. This provision prevents persons from moving from one bilingual position to another without ever meeting the language requirements.

In reviewing these two instruments, the Public Service Commission (PSC) conducted consultations with various stakeholders in the official languages community. These stakeholders included the deputy minister community, the Commissioner of Official Languages, the Treasury Board Secretariat, the Public Service Human Resources Management Agency of Canada and the Canada School of Public Service. Also included were the Association of Professional Executives of the Public Service of Canada, unions and bargaining agents, as well as official languages practitioners in the federal public service.

These consultations exposed two major differences of opinion with respect to the exclusions provided by the proposed Order. On one hand, some respondents were of the view that the previous flexibility must be maintained in order to provide generous access to language training and to jobs in the federal public service. Others disagreed with what they held to be the special treatment of language proficiency qualifications compared to other requirements, and contended that all loopholes must be eliminated. The provisions of the new Order and Regulations reconcile these divergent points of view by limiting distinctions between official language proficiency and other qualifications in the operation of merit without further restricting the access of unilingual Canadians to bilingual positions in the federal public service.

As part of its oversight function, the PSC will examine the official languages practices followed by those portions of the federal public administration governed by the PSEA. The aim will be to ensure that deputy heads are providing for requisite language training, are monitoring the progress of employees on language training and, if required, are appointing or deploying employees to alternative positions. The PSC will report the findings in its next annual report.

Appendix 5 – Specific restrictions and conditions applied to organizations following the results of Public Service Commission oversight activities

	Canadian Space Agency	Office of the Privacy Commissioner	Military Police Complaints Commission	Commission for Public Complaints Against the RCMP	NAFTA Secretariat - Canadian Section
Terms and Conditions	Dec. 31, 2005 - present	July 18, 2003 - Apr.11, 2006	Oct. 5, 2004 - Aug. 14, 2006	Oct. 4, 2005 - present	Dec. 31, 2005 - present
The following conditions for advertised or non-advertised, from inside or outside the public service appointments.		excluding students and casuals	excluding students and casuals		
PSC review and approval of strategy and approach for the use of student employment programs, casual employment processes.	X				
PSC prior approval of choice of appointment process.		X	X		
PSC prior approval of merit criteria.	X				
PSC review of all proposed assessment tools.	X	X	X		
PSC rep sits on all assessment boards as advisor (not a rating member).		X	X		
Once all essential qualifications assessed and other merit criteria applied, PSC reviews and approves results and proposed candidate(s) considered for appointment prior to notification.		X	X		
PSC approval of proposed candidate(s) for appointment if different on second notification from first notification.		X	X		

Appendix 5 – Specific restrictions and conditions... *(continued)*

	Canadian Space Agency	Office of the Privacy Commissioner	Military Police Complaints Commission	Commission for Public Complaints Against the RCMP	NAFTA Secretariat - Canadian Section
Terms and Conditions	Dec. 31, 2005 - present	July 18, 2003 - Apr.11, 2006	Oct. 5, 2004 - Aug. 14, 2006	Oct. 4, 2005 - present	Dec. 31, 2005 - present
PSC copied on signed letters of offer.		X	X		
Repeat steps above if any subsequent appointments are considered from same group of qualified persons.		X	X		
PSC advised of complaints brought to Public Service Staffing Tribunal (PSST), and PSST decision.		X	X		
PSC retains all authorities for EX resourcing processes. PSC carries out all transactions.	X	X including Interchange Canada agreements	X including Interchange Canada agreements		X*
Appointment and appointment-related authorities cannot be sub-delegated to employees whose level is lower than that indicated.				X Executive Director	
Appointment and appointment-related authorities cannot be sub-delegated to employees whose level is lower than that indicated, with the exception of the authority to administer oaths and solemn affirmations which can be sub-delegated to any level.	X Director General				
Officials are expected to cooperate with human resources monitoring activities conducted by the PSC in order to assess progress against concerns raised through PSC's oversight activities.	quarterly				monthly

* NAFTA Secretariat - This removal of delegation to staff EX positions affects one position.

Appendix 5 – Specific restrictions and conditions… *(continued)*

	Canadian Space Agency	Office of the Privacy Commissioner	Military Police Complaints Commission	Commission for Public Complaints Against the RCMP	NAFTA Secretariat - Canadian Section
Terms and Conditions	Dec. 31, 2005 - present	July 18, 2003 - Apr.11, 2006	Oct. 5, 2004 - Aug. 14, 2006	Oct. 4, 2005 - present	Dec. 31, 2005 - present
The organization must report, in the prescribed manner, on the accountability indicators defined in the Staffing Management Accountability Framework, on any reporting requirements identified in the appointment policies, and on the internal audits and studies that the organization does or intends to do.				quarterly	
Respond to PSC audit report in a timely manner.	X				
Seek expert advice and input when addressing issues raised in the PSC audit report, including: - linkages between human resources planning and the choice of appointment process; - clarification of roles and responsibilities in staffing; - strengthening the capacity of its human resources specialists; and - training of managers.	X				

Appendix 6 – Statistical tables

The Annual Report includes a number of graphs and tables, the data for which have been derived from a variety of sources. More complete data are available electronically at **http://www.psc-cfp.gc.ca/centres/annual-annuel/2004/tables/index_e.htm**.

Data source

The information on hiring and staffing activities is derived from data received from the incumbent file of the Public Service Human Resources Management Agency of Canada. This file is extracted from the Public Works and Government Services Canada pay system. The PSC's Appointments Information and Analysis Directorate has developed a series of algorithms that are used against these files to produce the PSC official record of hiring and staffing activities across the federal public service, based on pay transactions submitted by departments and agencies.

Hiring activities - Hiring activities refer to appointments to the public service, hiring of casuals as per the *Public Service Employment Act* (PSEA), section 50(1) and the recruitment of students under the *Student Employment Programs Exclusion Approval Order and Regulations*.

Staffing activities - Staffing activities refer to appointments to the public service and staffing activity within the public service. An appointment to the public service includes the appointment of a person from the general public or the appointment of an employee of a government department or agency that is not subject to the *Public Service Employment Act* (PSEA). Staffing activity within the public service includes all appointments and/or deployments of employees within or between departments or agencies, which are subject to the PSEA. Overall hiring and staffing activities have increased by 22.8%, to 100 230 from 81 602 in 2004-2005.

Important Note: The Canada Border Services Agency appointments are reflected in the tables as of April 2005. The Agency accounts for 7 714 or 7.7% of total staffing activities during this current fiscal year.

Overall hiring and staffing activities in 2005-2006 without the Canada Border Services Agency have increased by 13.4%, to 92 516 from 81 602.

Table 23 - Overall hiring and staffing activities

Number and percentage of hiring and staffing activities *to* and *within* the public service by type and tenure

April 1, 2005 to March 31, 2006

	Hiring activity *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Tenure	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Indeterminate staffing activities	5 090	9.1	18 141	32.4	19 521	34.8	13 295	23.7	56 047	100.0
Specified-period staffing activities	10 088	68.6	1 266	8.6	2 146	14.6	1 199	8.2	14 699	100.0
Sub-total	**15 178**	**21.5**	**19 407**	**27.4**	**21 667**	**30.6**	**14 494**	**20.5**	**70 746**	**100.0**
Casual (as per former PSEA s.21.2)	17 416	100.0	0	0.0	0	0.0	0	0.0	17 416	100.0
Student (under Employment Exclusion Approval Order)	12 068	100.0	0	0.0	0	0.0	0	0.0	12 068	100.0
TOTAL	**44 662**	**44.6**	**19 407**	**19.4**	**21 667**	**21.6**	**14 494**	**14.5**	**100 230**	**100.0**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

Table 24 - Tenure and previous employment status

Number and percentage of hiring and staffing activities *to* and *within* the public service by tenure and previous employment status

April 1, 2005 to March 31, 2006

	Tenure after hiring and staffing activities								Total	
	Indeterminate		Specified-period		Casual(*)		Student(*)			
Previous employment status	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Indeterminate	44 862	80.0	175	1.2	0	0.0	0	0.0	45 037	44.9
Specified-period	6 095	10.9	4 436	30.2	0	0.0	0	0.0	10 531	10.5
Casual	656	1.2	1 872	12.7	0	0.0	0	0.0	2 528	2.5
Other federal agencies	615	1.1	334	2.3	0	0.0	0	0.0	949	0.9
General public	3 692	6.6	7 682	52.3	17 416	100.0	12 068	100.0	40 858	40.8
Student	127	0.2	200	1.4	0	0.0	0	0.0	327	0.3
TOTAL	**56 047**	**100.0**	**14 699**	**100.0**	**17 416**	**100.0**	**12 068**	**100.0**	**100 230**	**100.0**

(*) Casuals and students do not have a previous employment status as these persons are reported under general public.

Table 25 - Staffing activity rates by occupational category and type of staffing activity*

Number and rate of staffing activities, by type and occupational category

April 1, 2005 to March 31, 2006

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Occupational category	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**
Executive Group	63	1.6	677	17.3	544	13.9	754	19.3	2 038	52.1
Scientific and Professional	2 212	9.1	2 736	11.2	2 862	11.8	1 695	7.0	9 505	39.0
Administrative and Foreign Service	4 355	5.8	11 020	14.8	9 730	13.0	9 039	12.1	34 144	45.8
Technical	1 304	7.8	2 000	11.9	1 125	6.7	866	5.2	5 295	31.5
Administrative Support	4 784	13.6	1 949	5.5	5 640	16.0	1 365	3.9	13 738	39.1
Operational	2 348	12.4	887	4.7	1 672	8.8	686	3.6	5 593	29.6
Not applicable (c)	112	6.7	138	8.2	94	5.6	89	5.3	433	25.8
TOTAL (d)	**15 178**	**8.7**	**19 407**	**11.1**	**21 667**	**12.4**	**14 494**	**8.3**	**70 746**	**40.3**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

(c) Refers to staffing activities for which the standard occupational classifications do not apply, i.e., separate employers under the *Public Service Employment Act* (PSEA) use their own occupational groups.

(d) Unknown values are not displayed in this table, but their values are included in the totals. The percentage of total (d) is calculated on the sum of all components: known and unknown.

* Note: Table 25 represents indeterminate and specified-period staffing activities under the PSEA. Staffing activity rates are derived by dividing the number of staffing activities within each category during the year by the employee population within each category as of March 31, 2005.

Table 26 - Staffing activity rates by type and geographic area*

Number and rate of staffing activities by type and geographic area

April 1, 2005 to March 31, 2006

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Geographic area	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**	**No.**	**Rate**
Newfoundland and Labrador	252	8.3	213	7.0	278	9.1	174	5.7	917	30.0
Prince Edward Island	131	7.6	189	11.0	196	11.4	198	11.5	714	41.5
Nova Scotia	659	7.5	812	9.2	891	10.1	527	6.0	2 889	32.8
New Brunswick	611	10.6	613	10.7	604	10.5	455	7.9	2 283	39.7
Quebec (except NCR)	1 999	9.6	2 184	10.5	2 078	10.0	1 286	6.2	7 547	36.3
National Capital Region (NCR)	5 782	8.0	9 050	12.5	11 080	15.3	8 024	11.1	33 936	46.8
Ontario (except NCR)	1 910	8.0	2 415	10.2	2 123	8.9	1 232	5.2	7 680	32.3
Manitoba	704	10.6	586	8.8	663	9.9	451	6.8	2 404	36.0
Saskatchewan	566	12.8	412	9.3	467	10.6	291	6.6	1 736	39.3
Alberta	990	10.4	926	9.7	1 205	12.6	476	5.0	3 597	37.7
British Columbia	1 385	8.7	1 711	10.8	1 816	11.5	1 069	6.7	5 981	37.7
Yukon	33	11.7	26	9.3	32	11.4	20	7.1	111	39.5
Northwest Territories	90	15.4	49	8.4	69	11.8	30	5.1	238	40.8
Nunavut	31	17.9	30	17.3	23	13.3	4	2.3	88	50.9
Outside Canada	35	2.4	191	13.1	142	9.7	257	17.6	625	42.8
TOTAL	**15 178**	**8.7**	**19 407**	**11.1**	**21 667**	**12.4**	**14 494**	**8.3**	**70 746**	**40.3**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

* Note: Table 26 represents indeterminate and specified period staffing activities under the *Public Service Employment Act*. Staffing activity rates are derived by dividing the number of staffing activities within each geographic area during the year by the employee population within each location as of March 31, 2005.

Table 27 - Staffing activities by type and employment equity designated groups*

Number and percentage of staffing activities by type and employment equity designated group

April 1, 2005 to March 31, 2006

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Employment equity designated group	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Women	7 506	56.9	11 250	58.4	13 346	61.9	8 833	61.3	40 935	59.8
Members of visible minorities	1 288	9.8	1 923	10.0	2 083	9.7	1 208	8.4	6 502	9.5
Persons with disabilities	338	2.6	909	4.7	1 160	5.4	720	5.0	3 127	4.6
Aboriginal peoples	489	3.7	853	4.4	998	4.6	617	4.3	2 957	4.3
TOTAL (c)	**13 196**	**100.0**	**19 263**	**100.0**	**21 555**	**100.0**	**14 404**	**100.0**	**68 418**	**100.0**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

(c) The counts for employment equity designated groups exclude specified-period staffing activities of less than three months and appointments *to* and staffing activities *within* separate employers as TBS does not collect self-identification information on these populations. The sum of employment equity designated groups does not equal the total as a person may be in more than one group and men are included in the total. Consequently, the totals do not match other tables.

* Note: In past years, this table included the appropriately weighted internal or external availabilities for each group in each column. Due to changes in methodology following the 2001 Census, these availability estimates are no longer available.

Table 28 - Staffing activities by type and language group

Number and percentage of staffing activities by type and language group

April 1, 2005 to March 31, 2006

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Language group	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Anglophones	10 638	70.7	12 850	66.4	13 962	64.6	9 017	62.3	46 467	65.9
Francophones	4 411	29.3	6 496	33.6	7 653	35.4	5 450	37.7	24 010	34.1
TOTAL (c)	**15 178**	**100.0**	**19 407**	**100.0**	**21 667**	**100.0**	**14 494**	**100.0**	**70 746**	**100.0**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

(c) Unknown values are not displayed in this table, but their values are included in the totals. The percentages for language group components total (c) are calculated using known language group as the respective denominators.

Table 29 - Staffing activities by type and official languages

Number and percentage of staffing activities by type, language group and language requirements of position

April 1, 2005 to March 31, 2006

	Appointments *to* the public service					Staffing activities *within* the public service (a)					Total (b)				
	Anglophones		Francophones		Total	Anglophones		Francophones		Total	Anglophones		Francophones		Total
Language requirements of position	**No.**	**%**	**No.**	**%**	**No.**	**No.**	**%**	**No.**	**%**	**No.**	**No.**	**%**	**No.**	**%**	**No.**
Bilingual imperative	1 222	32.8	2 498	67.2	3 721	7 765	33.6	15 311	66.4	23 087	8 987	33.5	17 809	66.5	26 808
Bilingual non-imperative															
Met	120	61.5	75	38.5	195	1 749	59.2	1 205	40.8	2 957	1 869	59.4	1 280	40.6	3 152
Must meet	28	93.3	2	6.7	30	415	96.5	15	3.5	430	443	96.3	17	3.7	460
Not required to meet	2	100.0	0	0.0	2	43	72.9	16	27.1	59	45	73.8	16	26.2	61
English essential	8 409	95.8	371	4.2	8 866	24 476	96.0	1 009	4.0	25 574	32 885	96.0	1 380	4.0	34 440
French essential	27	2.8	930	97.2	958	40	2.6	1 480	97.4	1 521	67	2.7	2 410	97.3	2 479
English or French essential	821	61.0	524	39.0	1 346	1 329	70.8	549	29.2	1 880	2 150	66.7	1 073	33.3	3 226
TOTAL (c)	**10 638**	**70.7**	**4 411**	**29.3**	**15 178**	**35 829**	**64.6**	**19 599**	**35.4**	**55 568**	**46 467**	**65.9**	**24 010**	**34.1**	**70 746**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments. Excludes acting appointments of four months or less.

(b) Unknown values are not displayed in this table, but their values are included in the totals. The percentages for language group components total (b) are calculated using known language group as the respective denominator.

(c) Unknown values are not displayed in this table, but their values are included in the totals. The percentage of total (c) is calculated on the sum of all components; known and unknown.

Table 30 - Distribution of recruits under recruitment programs, by geographic area

Number and percentage of recruits under recruitment programs, by external recruitment process and geographic area

April 1, 2005 to March 31, 2006

	* FSWEP		Co-op		PSR (a)		RAP		RPL		MTP		General recruitment		Total (b)	
Geographic area	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Newfoundland and Labrador	131	1.5	101	2.9	2	0.4	0	0.0	0	0.0	0	0.0	250	1.7	484	1.8
Prince Edward Island	227	2.6	30	0.9	2	0.4	1	1.9	0	0.0	0	0.0	129	0.9	389	1.4
Nova Scotia	269	3.1	132	3.8	6	1.1	0	0.0	0	0.0	0	0.0	653	4.5	1 060	3.9
New Brunswick	362	4.2	41	1.2	5	0.9	0	0.0	0	0.0	0	0.0	606	4.1	1 014	3.7
Quebec (except NCR)	1 456	17.0	281	8.2	34	6.3	17	32.1	0	0.0	1	9.1	1 964	13.4	3 753	13.8
National Capital Region (NCR)	2 786	32.5	1 928	56.1	412	76.4	14	26.4	14	100.0	9	81.8	5 347	36.6	10 510	38.6
Ontario (except NCR)	1 565	18.2	349	10.2	39	7.2	9	17.0	0	0.0	0	0.0	1 871	12.8	3 833	14.1
Manitoba	370	4.3	88	2.6	13	2.4	3	5.7	0	0.0	0	0.0	691	4.7	1 165	4.3
Saskatchewan	327	3.8	41	1.2	1	0.2	7	13.2	0	0.0	0	0.0	565	3.9	941	3.5
Alberta	477	5.6	140	4.1	12	2.2	1	1.9	0	0.0	0	0.0	978	6.7	1 608	5.9
British Columbia	588	6.9	299	8.7	10	1.9	1	1.9	0	0.0	1	9.1	1 374	9.4	2 273	8.3
Yukon	7	0.1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	33	0.2	40	0.1
Northwest Territories	13	0.2	1	0.0	2	0.4	0	0.0	0	0.0	0	0.0	88	0.6	104	0.4
Nunavut	3	0.0	3	0.1	0	0.0	0	0.0	0	0.0	0	0.0	31	0.2	37	0.1
Outside Canada	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0	0	0.0	34	0.2	35	0.1
TOTAL (b)	**8 581**	**100.0**	**3 434**	**100.0**	**539**	**100.0**	**53**	**100.0**	**14**	**100.0**	**11**	**100.0**	**14 614**	**100.0**	**27 246**	**100.0**

(a) Post-Secondary Recruitment Program (PSR) includes applicants from the current and previous campaigns as not all appointments are completed within the same fiscal year. Includes appointments under the Accelerated Economist Training Program.

(b) The total 27 246 plus 17 416 casuals from Table 23 equals the overall hiring activity to the public service of 44 662 persons as indicated in Table 23.

* Legend

Federal Student Work Experience Program (FSWEP)
Co-operative Education/Internship Program (Co-op)
Post-Secondary Recruitment Program (PSR)
Research Affiliate Program (RAP)
Recruitment of Policy Leaders Program (RPL)
Management Trainee Program (MTP)

Table 31 - Staffing activities by type and department

Number and percentage of staffing activities, by type and department

April 1, 2005 to March 31, 2006

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Department	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Agriculture and Agri-Food Canada	804	26.6	1 016	33.7	658	21.8	539	17.9	3 017	100.0
Atlantic Canada Opportunities Agency	47	18.9	66	26.5	80	32.1	56	22.5	249	100.0
Canada Border Services Agency	864	14.9	2 846	48.9	1 259	21.6	849	14.6	5 818	100.0
Canada School of Public Service	77	26.5	52	17.9	92	31.6	70	24.1	291	100.0
Canadian Environmental Assessment Agency	13	19.4	28	41.8	16	23.9	10	14.9	67	100.0
Canadian Firearms Centre	93	46.5	25	12.5	64	32.0	18	9.0	200	100.0
Canadian Forces Grievance Board	4	13.3	9	30.0	9	30.0	8	26.7	30	100.0
Canadian Grain Commission	55	37.2	53	35.8	20	13.5	20	13.5	148	100.0
Canadian Heritage	143	13.1	292	26.7	370	33.9	287	26.3	1 092	100.0
Canadian Human Rights Commission	7	9.3	17	22.7	30	40.0	21	28.0	75	100.0
Canadian Industrial Relations Board	6	18.2	7	21.2	10	30.3	10	30.3	33	100.0
Canadian International Development Agency	106	12.4	266	31.0	341	39.8	144	16.8	857	100.0
Canadian International Trade Tribunal	5	16.1	16	51.6	7	22.6	3	9.7	31	100.0
Canadian Radio-television and Telecommunications Commission	29	21.3	54	39.7	34	25.0	19	14.0	136	100.0
Canadian Space Agency	30	20.4	45	30.6	36	24.5	36	24.5	147	100.0
Canadian Transportation Accident Investigation and Safety Board	4	11.1	9	25.0	12	33.3	11	30.6	36	100.0
Canadian Transportation Agency	10	13.9	19	26.4	19	26.4	24	33.3	72	100.0
Citizenship and Immigration Canada	394	21.2	417	22.5	499	26.9	546	29.4	1 856	100.0
Correctional Service Canada	878	21.3	803	19.5	1 438	34.9	1 001	24.3	4 120	100.0
Courts Administration Service	76	29.0	60	22.9	89	34.0	37	14.1	262	100.0
Economic Development Agency of Canada for the Regions of Quebec	16	13.0	24	19.5	56	45.5	27	22.0	123	100.0

Table 31 - Staffing activities by type and department

Number and percentage of staffing activities, by type and department

April 1, 2005 to March 31, 2006

(continued)

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Department	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Environment Canada	476	21.4	606	27.2	696	31.3	446	20.1	2 224	100.0
Finance Canada	59	13.5	169	38.7	136	31.1	73	16.7	437	100.0
Fisheries and Oceans	630	18.0	893	25.6	1 075	30.8	894	25.6	3 492	100.0
Foreign Affairs and International Trade Canada	284	14.7	485	25.2	548	28.4	610	31.7	1 927	100.0
Health Canada	1 041	23.5	986	22.3	1 520	34.4	874	19.8	4 421	100.0
Human Resources Development Canada	527	13.9	808	21.3	1 402	37.0	1 057	27.9	3 794	100.0
Human Resources and Social Development	585	14.0	1 100	26.4	1 442	34.6	1 041	25.0	4 168	100.0
Immigration and Refugee Board	26	7.9	109	33.0	131	39.7	64	19.4	330	100.0
Indian Affairs and Northern Development Canada	287	18.9	424	27.9	434	28.6	374	24.6	1 519	100.0
Industry Canada	344	17.6	606	31.0	629	32.2	375	19.2	1 954	100.0
Justice Canada	291	15.8	642	34.9	629	34.1	280	15.2	1 842	100.0
Library and Archives Canada	59	17.8	73	22.0	108	32.5	92	27.7	332	100.0
National Defence Canada (public service employees)	2 451	32.1	1 962	25.7	2 364	31.0	861	11.3	7 638	100.0
National Energy Board	48	31.0	42	27.1	53	34.2	12	7.7	155	100.0
National Parole Board	22	7.4	186	62.6	54	18.2	35	11.8	297	100.0
Natural Resources Canada	315	24.0	372	28.3	362	27.5	265	20.2	1 314	100.0
Office of Infrastructure of Canada	17	20.7	31	37.8	30	36.6	4	4.9	82	100.0
Office of Indian Residential Schools Resolution of Canada	53	35.3	32	21.3	42	28.0	23	15.3	150	100.0

Table 31 - Staffing activities by type and department

Number and percentage of staffing activities, by type and department

April 1, 2005 to March 31, 2006

(continued)

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Department	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Office of the Chief Electoral Officer	158	53.6	49	16.6	49	16.6	39	13.2	295	100.0
Office of the Commissioner for Federal Judicial Affairs	3	10.3	10	34.5	11	37.9	5	17.2	29	100.0
Office of the Commissioner of Official Languages	11	16.9	25	38.5	15	23.1	14	21.5	65	100.0
Office of the Co-ordinator, Status of Women	6	14.6	7	17.1	12	29.3	16	39.0	41	100.0
Office of the Governor General's Secretary	16	26.2	13	21.3	19	31.1	13	21.3	61	100.0
Office of the Superintendent of Financial Institutions	39	39.0	47	47.0	10	10.0	4	4.0	100	100.0
Offices of the Information and Privacy Commissioners	10	22.2	12	26.7	15	33.3	8	17.8	45	100.0
Passport Office	405	37.6	132	12.2	374	34.7	167	15.5	1 078	100.0
Privy Council Office	64	12.2	162	30.8	170	32.3	130	24.7	526	100.0
Public Health Agency of Canada	189	22.0	153	17.8	321	37.4	196	22.8	859	100.0
Public Safety and Emergency Preparedness	45	13.2	82	24.1	145	42.6	68	20.0	340	100.0
Public Service Commission	66	13.7	160	33.1	188	38.9	69	14.3	483	100.0
Public Service Human Resources Management Agency of Canada	53	17.0	110	35.3	95	30.4	54	17.3	312	100.0
Public Service Labour Relations Board	11	27.5	13	32.5	8	20.0	8	20.0	40	100.0
Public Works and Government Services Canada	550	13.4	1 100	26.8	1 169	28.5	1 282	31.3	4 101	100.0
Royal Canadian Mounted Police (public service employees)	493	25.7	397	20.7	757	39.5	269	14.0	1 916	100.0

Table 31 - Staffing activities by type and department

Number and percentage of staffing activities, by type and department

April 1, 2005 to March 31, 2006

(continued)

	Appointments *to* the public service		Staffing activities *within* the public service						Total	
			Promotions		Lateral and downward movements (a)		Acting appointments (b)			
Department	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**	**No.**	**%**
Statistics Canada	1 067	48.1	430	19.4	409	18.4	314	14.1	2 220	100.0
Supreme Court of Canada (Office of the Registrar)	34	58.6	9	15.5	7	12.1	8	13.8	58	100.0
Transport Canada	288	20.3	404	28.4	429	30.2	301	21.2	1 422	100.0
Treasury Board (Secretariat)	45	10.0	127	28.2	194	43.1	84	18.7	450	100.0
Veterans Affairs Canada	386	29.4	244	18.6	405	30.8	279	21.2	1 314	100.0
Western Economic Diversification Canada	36	25.5	31	22.0	47	33.3	27	19.1	141	100.0
Other Departments (c)	27	23.7	40	35.1	24	21.1	23	20.2	114	100.0
TOTAL	**15 178**	**21.5**	**19 407**	**27.4**	**21 667**	**30.6**	**14 494**	**20.5**	**70 746**	**100.0**

(a) Lateral and downward movements combine lateral or downward transfers and deployments. As no appointment process is available on the pay system, it is not possible to differentiate between lateral transfers and deployments.

(b) Excludes acting appointments of four months or less.

(c) Refers to those departments reporting fewer than 25 appointments in 2005-2006.

Table 32 - Priority administration (public service total)

Number of priority persons and number of placements of priority persons, by priority type

from April 1, 2005 to March 31, 2006

Nova Scotia/New Brunswick/Prince Edward Island/Newfoundland & Labrador/ Quebec (except NCR)/National Capital Region (NCR)/ Ontario (except NCR)/Manitoba/Saskatchewan/ Alberta/Northwest Territories/Nunavut/British Columbia (including Victoria)/Yukon/Outside of Canada/ Total public service

Public service total

Priority type	Carry-over	New cases	Total (carry-over + new cases)	Appointed	Resigned/ retired	Expired	Other removal	Total outflows	Active at end of period
Leave of absence (sec. 41)	301	214	515	180	10	57	17	264	251
Ministers staff (sec. 41)	8	41	49	25	1	2	1	29	20
Lay-off (sec. 41)	19	9	28	8	2	9	1	20	8
TOTAL - statutory priorities	**328**	**264**	**592**	**213**	**13**	**68**	**19**	**313**	**279**
Surplus (sec. 5)	155	282	437	189	15	0	56	260	177
Disabled employee (sec. 7)	51	34	85	14	5	17	6	42	43
Medically released CF/RCMP (sec. 8)	60	78	138	48	1	16	0	65	73
Relocation of spouse (sec. 9)	287	364	651	191	11	57	65	324	327
Reinstatement to higher level (sec. 10)	163	83	246	17	5	43	9	74	172
Governor General's exempt staff (sec. 6)	0	4	4	3	0	0	0	3	1
TOTAL- regulatory priorities	**716**	**845**	**1561**	**462**	**37**	**133**	**136**	**768**	**793**
GRAND TOTAL	**1 044**	**1 109**	**2 153**	**675**	**50**	**201**	**155**	**1 081**	**1 072**

(a) The number of carry-over from March 31, 2005 differs from the number of active cases as of March 31, 2005, as published in last year's Annual Report, due to the validation of data during the transfer of information to the new Priority Information Management System.

(b) The number of carry-over for specific priority types also varies considerably from what was published in last year's Annual Report, due to changes in priority persons' information and priority types over the course of the year.

Appendix 7 – Glossary

Aboriginal peoples (Peuples Autochtones) – North American Indians or members of a First Nation, Métis or Inuit of Canada.

Abuse of authority (Abus de pouvoir) – Includes bad faith and favouritism.

Accelerated Executive Development Program (AEXPDP) (Programme de perfectionnement accéléré des cadres supérieurs (PPACS)) – A development program, now administered by the Public Service Human Resources Management Agency of Canada, that identifies a representative group of executives at the EX-01 to EX-03 level who demonstrate strong leadership potential and may become assistant deputy ministers, and that invests in their development and progression.

Acting appointment (Nomination intérimaire) – The temporary performance of the duties of another position by an employee, if the performance of those duties would have constituted a promotion had he/she been appointed to the position.

Active monitoring (Surveillance active) – An ongoing process of gathering and analyzing information on current and past staffing results to assess staffing management and performance. Early corrective action to manage and minimize risk and to improve performance can then be identified.

Advertised appointment process (Processus de nomination annoncé) – Meets two conditions. First, persons in the area of selection are informed of the appointment opportunity. Second, they have an opportunity to apply and demonstrate their suitability against the merit criteria.

Appeal (Appel) – Under section 21 of the old PSEA, the recourse process for an individual who was not selected for an appointment in an internal closed competition or without competition process.

Appointment (Nomination) – An action taken under the *Public Service Employment Act* (PSEA) to confer a public service position or an occupational level on an individual. An appointment to the public service (external appointment) is the appointment of a person from the general public or of an employee of a government organization that is not part of the public service.

Appointment Delegation and Accountability Instrument (ADAI) (Instrument de délégation et de responsabilisation en matière de nomination (IDRN)) – The formal document by which the PSC delegates its authorities to the deputy heads of organizations where the PSC has the jurisdiction to make appointments. It identifies authorities, any conditions related to the delegation and sub-delegation of these authorities and how deputy heads will be held accountable for the exercise of their delegated authorities.

Appointment Framework (Cadre de nomination) – The framework has three components: appointment policy; delegation; and accountability. It guides deputy heads in designing staffing systems that are tailored to their specific organizational needs and that ensure respect for legislative requirements and the staffing values.

Appointment Framework Knowledge Test (AFKT) (Examen de connaissances sur le Cadre de nomination (ECCN)) – A PSC test to validate the expertise of human resources (HR) specialists in all components of the Appointment Framework (policy, delegation and accountability) and the legislative framework. As a condition of delegation, deputy heads must ensure that their sub-delegated officials have access to HR specialists whose expertise in the Appointment Framework has been validated by the PSC.

Area of selection (Zone de sélection) – The geographic, occupational, organizational and/or employment equity criteria that applicants must meet in order to be eligible for appointment. In a non-competitive (old PSEA) or non-advertised (new PSEA) internal process, the area of selection determines who has the right of appeal (old PSEA) or the right to complain to the Public Service Staffing Tribunal (new PSEA).

Assessment methods (Méthodes d'évaluation) – Methods used to collect the information needed to evaluate candidates against specific job qualifications, including such activities as interviews, paper and pencil tests, reference checks and simulations.

Asset qualifications (Qualifications constituant un atout) – Qualifications that are not essential to perform the work, but which would, now or in the future, benefit the organization or be an enhancement in terms of the work to be performed.

Assignment (Affectation) – The temporary movement of an employee within departments, to perform the functions of another existing position or to take on a special project; cannot be used to extend an employment period or be a promotion.

Audit (Vérification) – An objective and systematic examination of activities that provides an independent assessment of the performance and management of those activities.

Barrier-free (Sans obstacle) – Refers to the absence or removal of physical obstacles, policies, practices or procedures that restrict or exclude certain persons or groups of persons from full participation in an appointment process in particular and in the workplace in general.

Casual employment (Emploi temporaire) – A short-term employment option to hire persons to the public service. Under the old PSEA, it was for a period not exceeding 90 calendar days at one time nor for more than 125 working days within any 12-month period in any one department. Under the new PSEA, the period of employment of a casual worker may not exceed 90 working days in one calendar year in any particular department. None of the provisions of the PSEA, other than those authorizing the making of such appointments, apply to these workers.

Classification (Classification) – The occupational group, sub-group (if applicable) and level assigned to a person or a position.

Co-operative Education/Internship Program (Co-op) (Programme de stages d'enseignement coopératif et d'internat (Co-op)) – A program designed to provide post-secondary students with relevant and practical work experience in the public service, to help them fulfill the requirements of their academic program.

Delegation (Délégation) – The means by which the Public Service Commission authorizes deputy heads to exercise its roles, responsibilities or authorities under the PSEA. The Staffing Delegation and Accountability Instrument (under the old PSEA) and the Appointment Delegation and Accountability Instrument (under the new PSEA) set out the specific authorities, responsibilities and accountabilities of the Commission and the department or agency.

Departmental Staffing Accountability Report (DSAR) (Rapport ministériel sur l'obligation de rendre compte en dotation (RMORCD) – A periodic report provided by organizations to the Public Service Commission concerning the management and results of departmental/agency staffing; provided in response to questions from the Commission, which are based on the Staffing Management Accountability Framework and the appointment values.

Deployment (Mutation) – The lateral or downward movement of a person from one position to another. May not constitute a promotion and cannot change the tenure of employment.

Embracing change (Faire place au changement) – The Government of Canada's action plan, established in 2000, that set one-in-five (20%) hiring benchmarks for increasing the participation rates of members of visible minorities in the public service, including entry into the public service by 2003 and entry into the Executive group by 2005.

Employee (Employé) – A person employed in the part of the public service to which the Public Service Commission has exclusive authority to make appointments; includes part-time employees, but not casual employees.

Employment equity designated groups (Groupes visés par l'équité en matière d'emploi) – As defined by the *Employment Equity Act*, these include women, Aboriginal peoples, persons with disabilities, and members of visible minorities.

Employment equity program (Programme d'équité en matière d'emploi) – Refers to positive policies, practices or elements of an employment equity plan designed to address identified disadvantages and under-representation of a designated group.

E-resourcing (Ressourcement électronique) – The use of technology to screen large numbers of applications electronically. "Resourcing" incorporates both recruitment (from outside the public service) and internal appointments (within the public service).

Essential qualifications (Qualifications essentielles) – Qualifications that are necessary for the work to be performed and that must be met in order for a person to be appointed. The other merit criteria are asset qualifications, operational requirements or organizational needs identified by the deputy/agency head.

Exclusion Approval Order (EAO) (Décrets d'exemption) – Allow for the exclusion of person(s) or position(s) or class thereof in whole or in part from the operation of the *Public Service Employment Act* where the Public Service Commission decides that it is neither practicable nor in the best interests of the public service to apply the Act or any of its provisions; may be specific or general in nature; requires the approval of the Governor in Council. An EAO is generally accompanied by Governor in Council regulations made on the recommendation of the Public Service Commission and prescribing how the positions, persons or class thereof excluded under the EAO are to be dealt with.

Executive group (Groupe de la direction) – Consists of five levels up to and including most assistant deputy ministers (EX-01 to EX-05).

EX-equivalent levels (commonly called EX equivalents) include different classifications that correspond to the entry level of the Executive Group, which are based on the minimum rate of the salary scale of the executive group. Examples of EX equivalents:

- EX equivalent: ES-7, AS-8, CS-5
- EX minus 1 equivalent: ES-6, PM-6, IS-6, AS-7, CO-3
- EX minus 2 equivalent: ES-5,PM-5, IS-5,CO-2,AS-6

External appointment process (Processus de nomination externe) – A process in which persons may be considered whether or not they are employed in the public service.

Federal Student Work Experience Program (FSWEP) (Programme fédéral d'expérience de travail étudiant (PFETE)) – A program through which federal organizations recruit students; gives full-time secondary school, CEGEP, college, technical institute and university students opportunities to learn about the federal government and gain valuable experience while developing and improving their employability skills.

Fiscal year (Année financière ou exercice) – April 1 to March 31, for the public service.

Functional community (Collectivité fonctionnelle) – A specific career grouping (e.g., Finance, Communications, Policy, Comptrollership), for which a collaboration across departments and agencies has been formed to address the collective human resources needs of the community.

Generic selection process (Processus de sélection générique) – An approach that allows for one staffing process to fill similar positions within or between departments and agencies, as opposed to several individual processes.

Human resources planning (Planification des ressources humaines) – A process that identifies the current and future human resources needs of an organization for it to meet its goals.

Imperative appointment (Nomination impérative) – Refers to an appointment to a bilingual position that has been identified by the deputy head as requiring, at the time of appointment, occupation by a person who meets the required level of proficiency in both official languages.

Indeterminate (permanent) employment (Emploi pour une période indéterminée (emploi permanent)) – Part-time or full-time, including seasonal, employment of no fixed duration.

Informal discussion (Discussion informelle) – The opportunity provided to a person eliminated from consideration during an internal appointment process to discuss informally the decision to eliminate him/her before an appointment is made.

Internal appointment process (Processus de nomination interne) – Appointments for which only persons employed in the public service may be considered.

Inventory (Répertoire) – A listing of applicants in a selection process that could be used to staff identical or similar positions with one specific organization or with a number of different organizations. This tool is designed to provide managers with more efficient access to applicants. When an organization wants to use the inventory, a search of the applicants meeting its criteria (for example: education or experience) is conducted. The individuals meeting these criteria are then assessed further.

Investigation (Enquête) – An inquiry into an alleged violation of the *Public Service Employment Act* or the *Public Service Employment Regulations.*

Language requirements of the position (Exigences linguistiques du poste) – The designation of all public service positions as bilingual or unilingual, depending on their specific language proficiency requirements and according to the following categories: bilingual, English essential, French essential or either English or French essential.

Lay-off (Mise en disponibilité) – The involuntary termination of an employee's services because of the discontinuance of a function, a lack of work or the transfer of a function outside the public service.

Linguistic profile (Profil linguistique) – A description of the language requirements of a bilingual position and the proficiency level required in the second official language for each of the skills: reading, writing and oral interaction.

Management Trainee Program (Programme de stagiaires en gestion) – A program under the Post-Secondary Recruitment umbrella, now administered by the Public Service Human Resources Management Agency of Canada, that recruits and develops recent university graduates in a variety of disciplines.

Members of visible minorities (Membres des minorités visibles) – Persons in Canada, other than Aboriginal peoples, who are non-white in colour/race, regardless of place of birth.

Merit (Mérite) – Under the new *Public Service Employment Act* (PSEA), merit has two components:

- everyone who is appointed must meet the essential qualifications, including official language proficiency, for the work to be performed; and
- the manager (or other delegate of the deputy head) may take into account qualifications that are considered an asset for the work, currently or in the future, any current or future operational requirements and organizational needs that he or she has established, and the current and future needs of the public service that he or she has identified.

Merit criteria (Critères de mérite) – Essential qualifications, asset qualifications, operational requirements and organizational needs.

Non-advertised appointment process (Processus de nomination non annoncé) – An appointment process that does not meet the criteria for an advertised appointment process.

Non-imperative appointment (Nomination non impérative) – Refers to an appointment for an indeterminate (permanent) period to a bilingual position that has been identified by the deputy head as not requiring, at the time of appointment, occupation by a person who meets the required level of proficiency in both official languages.

Non-partisanship (Impartialité politique) – The characteristic of political impartiality. Refers to the capacity and willingness of the public service to serve governments appointed through democratic means, regardless of political affiliation.

Occupational group (Groupe professionnel) – A subdivision of an occupational category, comprising similar kinds of work requiring similar skills.

Operational requirements (Exigences opérationnelles) – Requirements that relate to the work to be done and that are deemed desirable for the proper functioning of the work unit or the organization.

Oral Interaction Test (Test d'interaction orale) – The Second Language Evaluation Oral Interaction Test assesses a candidate's ability to speak and understand his or her second official language in a work context. The evaluation takes the form of a conversation with an assessor about work-related matters and lasts about 30 minutes.

Organizational needs (Besoins organisationnels) – Requirements that relate to the organization's ability to operate or fulfill its mandate. These needs may be defined in the context of the public service as a whole.

Organizations (Organismes) – This report uses "organizations" to stand for departments and agencies.

Personal favouritism (Favoritisme personnel) – Involves an inappropriate action or behaviour by a public servant who, by using knowledge, authority or influence, provides an unfair advantage or preferential treatment to a current employee or a candidate for employment in the public service.

Persons with disabilities (Personnes handicapées) – Persons who, for the purposes of employment, consider themselves, or believe that a potential employer would likely consider them, to be disadvantaged by reason of any persistent physical, mental, psychiatric, learning or sensory impairment.

Political activity (Activité politique) – The PSEA defines "political activity" as actions in support of, within or in opposition to a political party in federal, provincial, territorial or municipal elections; carrying on any activity in support of or in opposition to a candidate before or during an election period in those elections; or seeking nomination as, or being a candidate in, an election before or during the election period in those elections.

Political influence (Influence politique) – Interference in the appointment process. It could include, but is not limited to, interference by a Minister's or a Member of Parliament's office.

Post-Secondary Recruitment (PSR) Program (Programme de recrutement (RP) postsecondaire) – Provides organizations with the flexibility to recruit post-secondary graduates into entry-level positions.

Prequalified Pool (PQP) (Répertoire de préqualification (RPQ)) – Under the old PSEA, a pool of fully assessed and qualified candidates, established for a class of similar positions in the same occupational group and at the same level.

Priority (Priorité) – The right to be appointed ahead of all others to vacant positions. There are four types of statutory priorities under the *Public Service Employment Act* (surplus employees appointed within their own department, leave of absence, ministers' staff and lay-off, in that order) and six regulatory priorities under the *Public Service Employment Regulations* (surplus employees appointed outside their own department, Governor General's exempt staff, employees who become disabled, Canadian Forces/RCMP who are released for medical reasons, relocation of spouse and reinstatement, in no specific order).

Priority data (Donées sur les priorités) – The data on priorities is obtained from the PSC's Priority Information Management System (PIMS). This table excludes information for employees who either resigned or retired on the date on which their surplus period commenced. In these cases, there was no entitlement to a priority. PIMS is the operational inventory the PSC uses to refer employees with statutory and regulatory priorities to suitable vacancies within departments. The inventory is comprised of employees identified by departments as surplus, as well as other individuals entitled to statutory and regulatory priorities.

Priority Information Management System (Système de gestion de l'information sur les priorités) – The PSC's Web-based tool that helps ensure that entitlements to a priority in appointment, as mandated by the *Public Service Employment Act* and Regulations, are observed.

Priority Person (Bénéficiaire de priorité) – A person who has an entitlement under the *Public Service Employment Act* or Regulations, for a limited period, to be appointed ahead of all others to vacant positions in the public service for which he or she meets the essential qualifications.

Public service (Fonction publique) – The departments named in Schedule I of the *Financial Administration Act*, the organizations named in Schedule IV of that Act, and the separate agencies named in Schedule V of that Act.

Public Service Resourcing System (PSRS) (Système de ressourcement de la fonction publique (SRFP)) – An electronic tool that screens applications on a number of criteria identified by the hiring manager (e.g., experience, education).

Recruitment of Policy Leaders Program (RPL) (Programme de recrutement des leaders en politiques (RLP)) – Targets exceptional graduates with outstanding academic achievements and policy-related experience, along with a proven record of leadership and an aptitude for work in public policy.

Research Affiliate Program (RAP) (Programme des adjoints de recherche (PAR)) – A recruitment program specifically designed to give post-secondary students experience in applied research (design, execution, evaluation), when they must attain such knowledge and skills in order to graduate.

Resourcing (Ressourcement) – Includes both recruitment and internal appointments.

Recruitment (Recrutement) – Refers to hiring from outside the public service.

Second language evaluation (Évaluation de langue seconde) – Language tests used by the PSC to determine the second official language proficiency of employees and applicants. Includes reading, writing and oral interaction tests that assess an applicant's ability to speak and understand his or her second official language in a work context.

SELEX – Simulations for the Selection of Executives, the PSC's instrument for assessing key leadership competencies for effective performance in executive positions.

Specified-period (term) employment (Emploi pour une durée déterminée) – Part-time or full-time employment of a fixed duration.

Staffing Management Accountability Framework (SMAF) (Cadre de responsabilisation en gestion de la dotation (CRGD)) – The SMAF sets out five indicators: governance; planning; policy; communication and control. These specify the PSC's expectations of deputy heads for the way they exercise their delegated staffing authorities.

Student bridging (Intégration des étudiants) – A mechanism that allows managers to hire qualified recent post-secondary graduates who have previously worked in the public service through either the Federal Student Work Experience Program, the Co-operative Education and Internship Program, or the Research Affiliate Program, and have completed their program of study.

Sub-delegated manager (Gestionnaire subdélégué) – A person to whom a deputy/agency head has delegated, in writing, the authority to exercise specific appointment and appointment-related authorities.

Surplus employee (Fonctionnaire excédentaire) – An indeterminate (permanent) employee who has been formally declared surplus, in writing, by his or her deputy head, owing to lack of work, discontinuance of a function, a relocation for which the employee does not wish to move or the transfer of work or a function outside the public service (alternative service delivery initiative).

Tenure (Durée d'emploi) – The period of time for which a person is employed; may be indeterminate (full or part-time, including seasonal employment), specified-period (full or part-time) or casual.

Biographies

Maria Barrados, President

Ms. Maria Barrados was confirmed as President of the Public Service Commission of Canada effective May 21, 2004. She had served as interim President since November 2003. From December 1993 to that date, she was Assistant Auditor General, Audit Operations, at the Office of the Auditor General of Canada.

Educated as a sociologist, Ms. Barrados has a wealth of knowledge of and a solid background in audit, evaluation and statistical analysis. In 1975, she began her career as a Lecturer and later a Research Project Supervisor at Carleton University. In March 1985, she joined the Office of the Auditor General, where she held positions of increasing responsibility in the Audit Operations Branch. She chaired executive committees on value-for-money and professional practices, representing the Office of the Auditor General at parliamentary hearings and meetings with ministers and senior officials. She was responsible for many financial and value-for-money audits, including audit work related to results measurement, accountability, human resources management and public service renewal.

Ms. Barrados is also involved in her community. She is a member of the Salvation Army Advisory Board of Ottawa and the Ottawa Grace Manor Board. In the recent past she worked at the Ottawa Hospital as a member of the Board of Trustees, and as Chair of the Quality and Finance committees of the Board of Trustees.

Ms. Barrados obtained a B.A. with high honours in Sociology from the University of Saskatchewan in 1966. She also has an M.A. in Sociology from McGill University (1970) and a PhD in Sociology from Carleton University (1978).

She is a recipient of the Confederation Medal (1992).

Ms. Barrados is married and has one daughter. She was born in the Netherlands, is a Canadian citizen and lives in Ottawa.

Manon Vennat, Commissioner

Effective June 10, 2004, Ms. Manon Vennat was confirmed as a part-time Commissioner of the Public Service Commission of Canada. She will hold office for a term of seven years.

Ms. Vennat, a lawyer by profession, was until September 30, 2004 Chairperson of Spencer Stuart (Montréal), an international executive search firm. She has since established her own consulting firm, Manon Vennat and Associates.

She joined the Company of Young Canadians in 1966 as Director of Legal Affairs and Executive Assistant to the Director General. Prior to founding *Le Centre de linguistique de l'entreprise de Montréal*, where she was Executive Director until 1980, she held various positions with the Government of Canada. Ms. Vennat represented the private sector in government legal and regulatory dossiers in Québec and Ottawa and took part in a number of federal government task forces and advisory groups.

She is currently Chairperson of the Board of Directors of the McCord Museum of Canadian History and is an emeritus governor of McGill University. She is a former member of the Public Policy Forum, where she was honoured in 2001 for her contribution to public sector management and public policy in Canada.

Prior to her joining Spencer Stuart in 1986, Ms. Vennat was Vice-President, Administration, General Counsel and Secretary to the Board of Directors at AES Data. Ms. Vennat holds a Ph.D. (honoris causa) from the University of Ottawa. She is a member of the Quebec Bar and a member of the Order of Canada.

David Zussman, Commissioner

On June 10, 2004, Mr. David Zussman was confirmed as a part-time Commissioner of the Public Service Commission of Canada to hold office for a term of seven years.

Mr. Zussman has had a varied career in government, the private sector and in academia and is a recognized authority on public sector management, public administration and public policy. He has been closely involved in some of the most exciting developments in Canada in public sector governance and alternative service delivery over the past 15 years.

In August 2005, Mr. Zussman joined the University of Ottawa as the first recipient of the Stephen Jarislowsky Chair for Public Sector Management.
In this capacity, he will focus on research, teaching and public programs in public management, governance and accountability.

Mr. Zussman has served in a number of positions at the University of Ottawa, including Assistant and Associate Dean of Graduate Programs (School of Management) and Dean of the School of Management from 1988 to 1992. During that time he was a Professor of Public Policy and Management and taught in the Executive MBA Program until 2004. He is also an adjunct professor at the University of Canberra (Australia).

From 2003 to 2005, Mr. Zussman was Executive Vice President and Chief Operating Officer at EKOS Research Associates Inc.

In 1995, Mr. Zussman joined the Public Policy Forum, an organization committed to bridging the gap between government, business, labour and the voluntary sector. He was appointed President in 1996, and remained in that position until 2003.

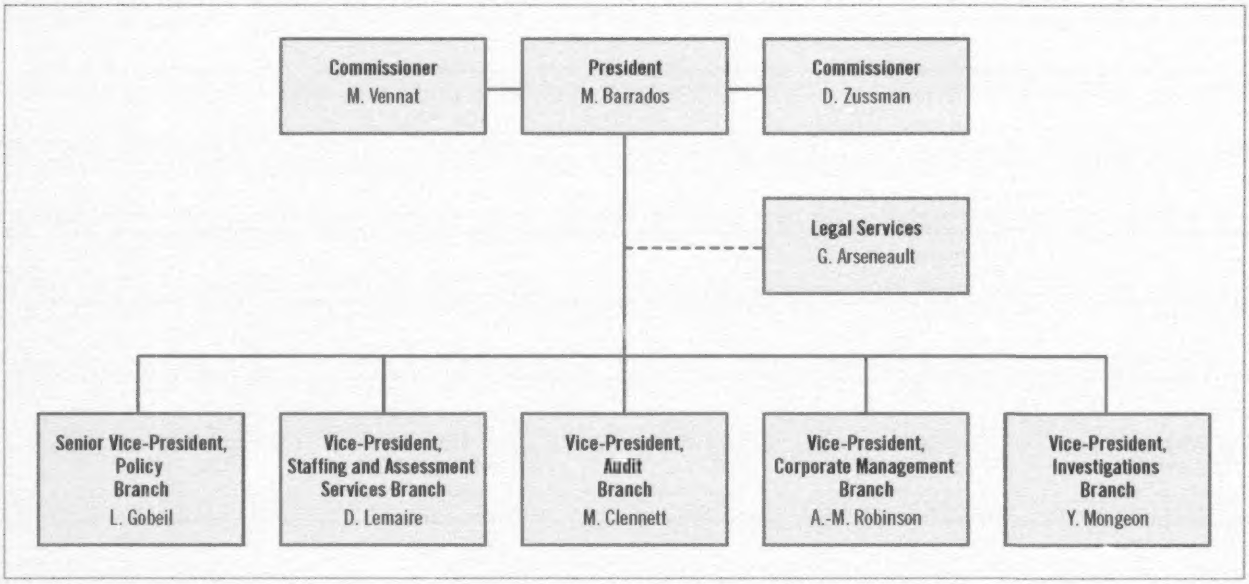
In 1994, he was appointed Assistant Secretary to the Cabinet for Program Review and Machinery of Government, to help the government implement its commitment to a fundamental review of federal spending. In 1993, Mr. Zussman was responsible for the transition of the newly elected government.

Mr. Zussman has published articles and books on public management and policy making in Canada, and is the author and co-author of many publications, including *Alternate Service Delivery: Sharing Governance in Canada* and *The Vertical Solitude: Managing in the Public Service*. He writes a monthly public policy column for the *Ottawa Citizen*.

He sits on numerous public and private sector advisory boards and boards of directors. In 2003, he was awarded the Public Service Citation Award by the Association of Professional Executives of the Public Service of Canada (APEX).

PSC Organization

PSC Organization Chart


Commissioner
M. Vennat
President
M. Barrados
Commissioner
D. Zussman
Legal Services
G. Arseneault
Senior Vice-President, Policy Branch
L. Gobeil
Vice-President, Staffing and Assessment Services Branch
D. Lemaire
Vice-President, Audit Branch
M. Clennett
Vice-President, Corporate Management Branch
A.-M. Robinson
Vice-President, Investigations Branch
Y. Mongeon

Offices of the
Public Service Commission

Offices of the Public Service Commission

All PSC offices provide services in both official languages.

Internet
PSC Corporate Web site: **www.psc-cfp.gc.ca**
PSC Recruitment site: **jobs-emplois.gc.ca**
E-mail: **infocom@psc-cfp.gc.ca**

Headquarters
L'Esplanade Laurier, West Tower
300 Laurier Avenue West
Ottawa, Ontario K1A 0M7
Information: (613) 992-9562
Facsimile: (613) 992-9352

Regional Offices

Halifax
1505 Barrington Street
Suite 1525, Maritime Centre (mailing address)
17th Floor South (office location)
Halifax, Nova Scotia B3J 3Y6
Information: (902) 426-4698
Facsimile: (902) 426-7277
or Toll free 1-800-457-5333
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
E-mail: pscns@psc-cfp.gc.ca

Montréal
200 René-Lévesque Boulevard West
East Tower, 8th Floor
Montréal, Quebec H2Z 1X4
Information: 1-800-645-5605
Facsimile: (514) 496-2404
TTY: 1-800-532-9397
E-mail: InquiriesMTL@psc-cfp.gc.ca

National Capital and Eastern Ontario
66 Slater Street, 4th Floor
Ottawa, Ontario K1A 0M7
Information: 1-800-645-5605
Facsimile: (613) 996-8048
TTY: 1-800-532-9397
E-mail: pscnceor@psc-cfp.gc.ca

Toronto
1 Front Street West, 6th Floor
Toronto, Ontario M5J 2X5
Information: (416) 973-3131
TTY: (416) 973-2269
Facsimile: (416) 973-1883
InfoTel: 1-800-645-5605
TTY: 1-800-532-9397
Information: 1-800-387-0776
E-mail: psctor@psc-cfp.gc.ca

Winnipeg
320 Donald Street, 1st Floor
Winnipeg, Manitoba R3B 2H3
Information: (204) 983-2486
Facsimile: (204) 983-8188
TTY: 1-800-532-9397
E-mail: pscwin@psc-cfp.gc.ca

Edmonton
9700 Jasper Avenue, Room 830
Edmonton, Alberta T5J 4G3
Information: (780) 495-6134
Facsimile: (780) 495-3145
TTY: 1-800-532-9397
E-mail: pscedm@psc-cfp.gc.ca

Vancouver
757 West Hastings Street, Suite 210
Vancouver, British Columbia V6C 3M2
Information: 1-800-645-5605
Facsimile: (604) 666-6808
TTY: 1-800-532-9397
E-mail: InquiriesVAN@psc-cfp.gc.ca